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HANSARD'S

PARLIAMENTARY DEBATES.

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

22° & 23° VICTORIÆ, 1859.

VOL. CLV.

COMPRISING THE PERIOD FROM

THE NINETEENTH DAY OF JULY, 1859.

TO

THE THIRTEENTH DAY OF AUGUST 1859.

Second and last Volume of Second Session 1859.

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Dartmouth—John Dunne, Esq., *v.* Edward Wyndham Harrington Schenley, Esq.

THURSDAY, AUGUST 11.

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HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *EIGHTEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 31 MAY, 1859, IN THE TWENTY-SECOND
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

SECOND AND LAST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, July 19, 1859.

MINUTES]. PUBLIC BILLS.—1ª Speaker of the Legislative Council (Canada); North Western Territories (British America); Public Health. 3ª Clerk of the Council.

RIGHT OF INTERMENT.

PETITION.

LORD BROUGHAM *presented* a Petition from the family of a respectable farmer in the county of Leicester, who had undergone extreme suffering through what he would call a legal misunderstanding on the part of the vicar of the parish. Towards the latter end of last week the father of the petitioners unfortunately committed suicide. An inquest was held the same day, and the jury returned a verdict of "temporary insanity." He regretted that none of the right rev. Bishops were present, as he should particularly wish to call their attention to this case. The verdict of "temporary insanity" left no doubt as to the right of the deceased to sepulture in the parish church; and the refusal was the more cruel as the deceased had been born and baptized in the parish, had lived in it all his life, had filled church offices there, and was one of the largest ratepayers in the locality. Moreover, his wife had been buried in the parish church-yard. But when application was made to the vicar, to know at what hour it would be convenient to him to perform the burial service, to the astonishment and grief of his family he refused not only to perform the burial service, but would not allow the body to be interred in the church-yard. This resolution he persevered in, notwithstanding that the family offered to let their father be buried without having service read over the body, as he objected to do so. He (Lord Brougham) had made this statement from the Petition—having no other information on the subject. The churchwardens applied to the vicar but failed to shake his determination. The consequence was that the body remained unburied, first at the inn for many hours, and afterwards at the dead-house, when the officer of health directed it to be removed. Some further delay took place, for it was requisite to seek out some other place of interment, and when, in the course of a day or two, the family had been able to purchase a piece of ground for the purpose, they were fortunate enough to meet with another clergyman who did not entertain the same scruples, or who was not labouring under the same hallucination, and he at once consented to perform the funeral service. The wishes of the family, however, that the remains of their unhappy parent might repose beside his wife in the burying-ground were frustrated. They therefore prayed their Lordships to render them any relief that might be in their power; or if it was unfortunately the case that any law existed which would justify the proceeding of this clergyman, then they prayed the House to make such alteration in it as would prevent the recurrence of a similar circumstance.

THE LORD CHANCELLOR said, if the right rev. Prelates were present, he was sure they would concur with his hon. and learned Friend and himself in deploring the mistake which the rev. gentleman had committed. No doubt whatever could exist that the vicar was altogether wrong in point of law, and that the person named in the petition was entitled to Christian burial, according to the rites of the Church of England. The vicar had no right to form and act upon his own opinion, contrary to that which had been expressed by the jury.

LORD BROUGHAM said, he had purposely abstained from mentioning the name of the clergyman, who had acted, he had no doubt, from conscientious scruples.

RIOTS AT KINSALE.

OBSERVATIONS.

THE EARL OF RIPON said, it would be in the recollection of the House that the noble Marquess near him (the Marquess of Clanricarde) put a Question to him the other evening relative to a riot at Kinsale in which the Antrim Militia were said to be concerned, and accompanied his Question with some remarks. He the Earl of Ripon had received a letter on the subject from Lord Massereene, the commanding officer of the Antrim Militia, which he would take the liberty to read to the House:—

"My Lords,—I have this moment seen with much surprize in *The Times* a most exaggerated statement of Lord Clanricarde's in the House respecting the late riot in Kinsale; there was no such thing as an attack by the Antrim Artillery on either convent, chapel, or priest. The officers, although denying altogether their liability, and under the strongest protest, have paid the Magistrates £50, the sum demanded by them for damage, and so strongly were they impressed with the falsity of the reports which had been circulated, and which no doubt induced Lord Clanricarde to use the language attributed to him, that they have employed an eminent solicitor, in order that the most searching inquiries might be made into the conduct of both officers and men. A letter has been received from a most respectable and influential resident in the town, stating that the attack was premeditated against the regiment by the inhabitants, and I am confident that the impending court of inquiry will fully elucidate these facts. I left London on Thursday immediately on receiving a telegram about the riot, and assumed the command of the regiment. Having learnt the true state of the affair, I beg your Lordship will, in justice to me, take the earliest opportunity of affording the information I have deemed it my duty to give you to the House.

"I beg to remain your Lordship's very faithful servant, "MASSEREENE,

Lieutenant-Colonel Commandant of the Antrim Artillery."

THE MARQUESS OF CLANRICARDE said, it would be in the recollection of the House that he merely stated what had appeared in the papers. There had been two reports taken from the local papers, in which there was a slight variation in terms, but the purport of both was the same.

BARRACKS AT GALWAY.

QUESTION.

THE MARQUESS OF CLANRICARDE asked the noble Earl the under Secretary for War, whether any steps have been yet taken for the Erection of new Barracks at Galway beyond the large Expenses incurred by the Purchase of Land and the Construction of a Bridge?

THE EARL OF RIPON said, the subject of barracks generally was one of great importance. He was not prepared to deny that the barracks to which the noble Marquess alluded were in a bad state; but it was impossible for Government to give any money this year for barracks at Galway. The subject would receive the consideration of his right hon. Friend the Secretary for War. No land had been purchased by the Government. The land alluded to was held under a lease in perpetuity at the rent of £60. One portion of it was used for the exercise of the troops.

TELEGRAPHIC COMMUNICATION WITH THE COLONIES.—PETITION.

LORD STANLEY OF ALDERLEY *presented* a Petition from Bankers, Merchants, and others, in favour of the Establishment of direct Lines of Submarine Telegraphs between Great Britain and Her Majesty's Possessions abroad. The noble Lord said the Petition emanated chiefly from the City of London, and was signed by the Lord Mayor, the City Members, several Aldermen, several large banking firms, and most of the great commercial and mercantile houses, who all agreed in representing the importance of our possessing telegraphic communication with our foreign possessions, independent of any other nation, and in praying their Lordships to adopt such measures as might, as far as possible, promote the establishment of direct lines of submarine telegraph between Great Britain and her possessions abroad, especially India. It was impossible, in his (Lord Stanley's) opinion, to establish communications with our colonial possessions, which should be free from interruption by any foreign Power, and should secure the transmission of messages without delay, falsification, or other interference. At present the line by which we communicated with our establishments in the Mediterranean passed through France, and in the event of a war might be cut off at pleasure. It was not three weeks since he saw an article in a French newspaper of no slight importance, that now was the time to humble perfidious Albion, and to restore Gibraltar to the Spaniards. A sudden Attack might be made upon our possessions in the Mediterranean, and it was of the utmost importance that Her Majesty's Government should have the means of receiving rapid intelligence from that quarter. The submarine electric telegraph was the medium by which such intelligence could be conveyed to the Government. We could girdle the whole world with telegraphic wires, and thus inform ourselves with lightning speed of any attack upon our possessions abroad. There were two courses by which we could obtain the inestimable advantages of telegraphic lines of communication with our distant possessions. Her Majesty's Government could permit private individuals or companies to lay down telegraphic lines between this country and any of its Colonies under such regulations as it might think fit; or it might itself establish such lines, and commit the superintendence of them to the Post-office Department. What, in fact, was sending a message by a telegraphic wire but sending a letter by telegraph instead of by post? The Post-office Department was admirably conducted. It possessed all the requisite machinery and officers for superintending telegraphic lines, and there was no part of our possessions abroad at which there was not an English post-office agent ready to receive any telegraphic communication that might be forwarded to him. The expense of this addition to the ordinary work of the Post Office would be but trifling. He was not suggesting anything new. The whole of the telegraphic lines on the Continent were in the hands of the Continental Governments, and he believed that, instead of being a serious expense to the countries in which they were laid down, those lines were on the contrary a source of great profit. The telegraphic line which Her Majesty's Government made between Varna and the Crimea, a distance of about 400 miles, during the Russian war, answered all its purposes, and cost not much more than £30,000. This question of telegraphic communication with our foreign possessions should be seriously considered by Her Majesty's Government. He was happy to learn from the statement of the Chancellor of the Exchequer last night that a sum of money had been voted this Session for the purchase of cables to form a telegraphic line between England and Gibraltar, which was to be the first part of an independent line of communication between this country and the East. Again, notwithstanding the failure of the Atlantic telegraph, he thought the attempt should be persevered in to establish a submarine telegraph communication between this country and our American colonies, taking care to keep that line entirely under our own control. Probably the best way of accomplishing works of that kind was by inviting tenders, and he trusted that if such tenders were invited Her Majesty's Government would make it known, that no unjust concessions would be made to any party, and that the contracts would be made without favour or affection.

THE EARL OF ELLENBOROUGH said, he cordially concurred with the noble Baron in thinking it quite intolerable that this country should be dependent on foreign nations for the correct transmisssion of orders to our fleets and armies in time of war, either in the Mediterranean or any other part of the world. We ought to have in our own hands the means of independent communication, and he was glad, therefore, to hear that the present Government had taken the same view of the matter as the late Government, and had taken a sum on account for the purpose of establishing an "independent communication with Gibraltar." It was impossible to overestimate the advantage of having the means of independent communication in our hands, and of being able to move our fleets and armies at the shortest possible notice without the knowledge of any one. Those who were acquainted with the events of the war which ended in 1815, would remember that this country had been exposed to several great perils, which would have been entirely prevented by the possession of telegraphic communication. He wished, however, to draw their Lordships' attention to one point in connection with the matter. In the event of an invasion, the first points of which an enemy would endeavour to make himself master would be the points at which our telegraphic communications commenced, which at present were entirely unprotected. It would be of the greatest importance for an enemy to get possession of our telegraphic communications with France and the rest of the Continent. He would be able to give a false impression abroad of what occurred here, to send false orders to our troops and fleets, and ultimately to destroy our communications altogether, and rob us of the advantages which we might otherwise expect from them while he possessed his own communications. It was, therefore, of the utmost importance that we should have the means of securing their possession. He should be very glad to see a renewal of the attempt to establish telegraphic communications with America, since it would have so great an effect in drawing the two nations closer together. He thought that on the occasion of the first cable being laid, the people of the United States had indicated a strong and excellent feeling, which it was most desirable to foster. Looking forward to the future, the probability was that the two great branches of the Anglo-Saxon race would find it their interest and their honour to draw much closer the bonds which already existed between them, and with a view to the protection of their mutual interest to act according to some treaty of defensive alliance. Events were now taking place in Europe which were likely to lead to a realization of this union, to which he had looked forward for many years. It would be most desirable, though it might be very expensive, and not very remunerative, to establish a telegraphic communication with the West Coast of Africa. We had at all times on that coast a large maritime force. The "sentimental squadron," as he used to call it, for the protection of the negroes, occupied some 3,000 or 4,000 seamen, and altogether a number of seamen equal to the crews of six line-of-battle ships, whose presence at home might some day or other be very essential, were employed in looking after the interests of African negroes. The first order given at the commencement of a war ought to be that the whole of this force should spread itself out above and below the Line—along the great route of commerce — so that every mercantile vessel of the enemy should of necessity fall into our hands. It was his intention to have done that when there was a probability of war breaking out some years ago. All the stations at which telegraphic communications joined or commenced ought to be furnished with means of defence, though, considering the amount of money which had been spent on fortifications, and the little there was to show for it, the public might very likely shrink from the expense. And, while on the subject of fortifications, he would suggest to the noble Duke at the head of the Admiralty how desirable it would be that the attention of some of our principal Engineers should be directed to the practicability of applying steam power to excavating earthworks. Such an application would be of the greatest value in making docks, and of still more value if we should determine to defend our arsenals by the kind of fortifications which were carried to such an extent at Sebastopol.

EARL GRANVILLE agreed with the two noble Lords who had preceded him as to the importance of connecting ourselves with our foreign possessions by independent lines of communication. The suggestions of the noble Earl who had just sat down were of the greatest importance, and would receive the attention of the Government. He particularly agreed with the noble Earl as to the expediency of drawing closer the bonds which unite us with America, and of encouraging in every way the good feeling which existed between the two countries. With regard to the noble Baron's question, the late Government, he believed, had formed a plan for connecting England with Malta by Gibraltar, and they had entered into a contract for the manufacture of a cable to be laid down as far as Gibraltar. There was great doubt, however, whether it was possible to lay it down this summer, and her Majesty's Government had determined not to make the attempt, though the manufacture of the cable was still being continued.

THE EARL OF ELLENBOROUGH said, that if the cable were not laid down in six weeks it would certainly be impossible to lay it this year. As to the necessity of placing in a state of security the points from which the telegraphic lines left the shore, he had communicated with the late Duke of Wellington upon the subject, and he entirely concurred with him in the views which he had expressed. He concluded that Her Majesty's Government were taking some measures for the general defence of the coast, and he would suggest that their attention should be directed to the points at which the railways going to the east, to Dovor, and to the west touched the sea. The lines had not been drawn with any military consideration, and were exposed to the greatest peril.

THE DUKE OF SOMERSET explained that the Government had been induced to take a few more weeks in proceeding with the Gibraltar cable to prevent failure, which was represented as the possible consequence of too great haste. Vessels had been sent out by the late Government to survey the bottom of the sea between England and Gibraltar, and it was desirable to have their reports before laying down the cable.

THE EARL OF ELLENBOROUGH asked whether a light or a heavy description of cable had been adopted?

THE DUKE OF SOMERSET said, it was a light cable of a new kind.

THE EARL OF ELLENBOROUGH thought it very important that they should get a good and level bottom, even if they went out of a direct course to get it, so that, when established, the communication might be preserved.

THE EARL OF DONOUGHMORE said, there was now a line of telegraph between Aden and Alexandria, but none between Malta and Alexandria, belonging to an English Company. The Red Sea Telegraph, under certain circumstances, would, therefore, be practically useless for Government purposes. He wished to know whether the Government intended to take any steps to establish a telegraphic line between Malta and Alexandria.

LORD WODEHOUSE said, it was with the Turkish Government the difficulty originated of laying down a line of telegraphic communication between Malta and Alexandria. That difficulty had not yet been removed; but Her Majesty's Government were still in communication with the Government of the Porte upon the subject. It appeared that the Turkish Government had made to certain parties the concession of an exclusive right of laying down such a line; but the matter was, it seemed, still open for consideration.

VISCOUNT STRATFORD DE REDCLIFFE said, he was prepared to support the general prayer of the petition which had just been presented to the House; but after the able address of the noble Earl opposite (the Earl of Ellenborough) and the satisfactory explanation of his noble Friend the President of the Council, he did not think it necessary to trespass at any length on their Lordships' time. It could hardly be doubted that submarine telegraphs, having their point of departure in England and enabling us to communicate with our distant settlements in a manner at once the most direct and the least liable to interruption, would be of great advantage both to the Government and to the nation. During the period of his official residence in Constantinople he had become deeply impressed with the importance not only of our establishing a telegraphic communication with the East, but of our having as many alternative lines as possible. He saw, moreover, the importance of our possessing the means of defending the point of departure in the case of our adopting a system of submarine telegraphs from this country, and it would be extremely desirable that a similar security should, if possible, be obtained for the termination of the line in Egypt, though he could not be blind to the difficulty of obtaining that object. The whole subject was one of deep interest, and the country would, in his opinion, be justified in incurring a very considerable outlay for a more complete attainment of the proposed results.

THE EARL OF ELLENBOROUGH said, that the difficulty of obtaining security for the station at Suez had already occurred to him. It appeared to him that it would be better the station should be some miles removed from Suez.

THE DANUBIAN PRINCIPALITIES.
QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE said, he wished to put a question to the Government with regard to the Danubian Principalities, which, it was well known, presented one of those questions in connection with the interests of the Turkish empire which had been referred to the consideration of the Congress at Paris. It had lately come to his knowledge in a general way that some difficulties accompanied the arrangement of that part of the question which related to the Administration of the two countries under one Prince, and their consequent union as a single Government. He wished to ask Her Majesty's Ministers whether they had any objection to inform him what the state of the negotiations was at the present moment, and it would then remain with him to consider whether it necessarily formed part of his duty to bring this question before the House.

LORD WODEHOUSE said, he had no difficulty in informing the noble Lord in what position the question now stood. After the election of Colonel Couza as Hospodar of both Principalities it became necessary to refer to the different Powers who were parties to the Paris Congress to consider what should be done. A Conference was held to take the matter into consideration, and the result at which they arrived was, that it was advisable for the Porte on this single occasion to recognize Colonel Couza as the Hospodar of both Principalities. It was, no doubt, an exception from the principle laid down at the Congress that there should be one Hospodar for Wallachia and another for Moldavia; but it was thought to be better to treat the present as an exceptional case, and to recognize the election. This Conference was held before the late change of Government. The Porte had made some difficulties as to the precise form in which the recognition of Colonel Couza was to be made; but he had no doubt that an arrangement would be effected. The basis of which would be that Colonel Couza should be recognized as Hospodar of the two Principalities in this one single instance.

VISCOUNT STRATFORD DE REDCLIFFE thanked the noble Lord for the manner in which he had replied to his question. The matter to which it related was one of very serious consequence as affecting the interests of the Turkish empire. He must say, however, he greatly regretted that the important principles laid down as to the union between the two Principalities by the Congress of Paris should have been so incompletely maintained. If the double election of Colonel Couza was to be recognized, it should be regarded as a strictly exceptional case, and a distinct guarantee ought to be given to the Porte that the principle laid down by the Paris Congress should be respected in future.

LORD WODEHOUSE repeated the assurance that the recognition of Colonel Couza as Hospodar of both Principalities was treated only as an exceptional case.

House adjourned at half-past Six o'clock, till To-morrow half-past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, July 19, 1859.

MINUTES.] PUBLIC BILLS.—1° Barristers (Ireland); Medical Acts Amendment; Thames Conservancy.
2° Municipal Corporations; Dwellings for Labouring Classes (Ireland); Bankruptcy and Insolvency (Ireland) Act Amendment.
3° Public Health; Newspapers, &c.

BRITISH AND CANADIAN TELEGRAPH COMPANY BILL.—CONSIDERATION.

On Motion that this Bill be considered,

VISCOUNT DUNCAN said, that the agent of the Company had consented that the clause to which he objected should be struck out—namely, that by which the Treasury would be able to give a prospective guarantee after the passing of the Bill. He had therefore no further opposition to make to the passing of the Bill.

Motion *agreed to.*

Bill, as amended, *considered.*

PUBLIC HEALTH BILL.
THIRD READING.

Order for Third Reading read.

MR. LOWE, in rising to move the third reading of this Bill, said, that the manner in which this Bill came before the House was in this wise. When the Central Board of Health was abolished the compulsory powers possessed by that Board fell with it, and the care of the public health was committed to the local boards. He did not regret that, for he thought it would be wrong to involve measures that were in themselves just and reasonable, under a load of general unpopularity. The Central Board, however, possessed certain powers that could not be given to local boards, and the question was whether these powers should be extinguished or vested in the Privy Council. The latter alternative had been adopted, and the Act of Parliament, which had been passed for one year, would expire in a few days. The object of the present Bill was to make these powers perpetual; but he did not propose to vest in the Privy Council any compulsory powers of general or perpetual efficacy. By the Diseases Prevention Act of 1855 certain powers were given to the Central Board of Health, to be exercised at periods when epidemics of a violent nature were prevalent. So necessary were these powers that in 1831, when the cholera broke out, and before legislation had provided for similar occurrences, the Committee of Privy Council felt bound to put in exercise the prerogative powers of the Crown, whatever they might be, and took a great many steps of an arbitrary character which were acquiesced in by the public as tending to the preservation of the public health. The principal powers conferred by the Diseases Prevention Act were that a visitation from house to house might be ordered, that provision was made for the speedy interment of the dead, and for the distribution of medicine among the poor. It was impossible to vest these powers in a merely local authority, and it would be rendering a service to the local boards themseves to place these powers in some central body, which, from its position and knowledge, might be able to exercise them for the benefit of the public, and exercise them in moments of consternation and terror. The second power proposed to be conferred by this Bill was a power of making regulations with regard to the qualification of those persons with whom the Poor-Law Board were empowered to contract for vaccination. This power was desirable on behalf of those who were to be vaccinated, who had an interest in the competency of the vaccinators. This, however, was a clause of regulation, and not of compulsion. The third power given under the Bill would enable the Privy Council to inspect localities alleged to be unhealthy, and make a report through their Medical Officer of the state of the district, which should be laid upon the table of the House. If the local Boards were left without instruction and stimulus, there was too much reason to suppose that the experiment of local government would fail in this respect, as in many others. Of course, the function of reporting upon unhealthy localities could not be performed by a lay body like the Privy Council, but would be carried on by their Medical Officer, Mr. Simon, whose high qualifications and experience need not be dilated on. He might be permitted to mention, however, that that gentleman had given up an income at least as great as that he would receive from the country, and he had also given up prospects second to none that could be enjoyed in the profession. There was another clause to which many hon. Members felt great objection, and which enabled vaccinators and others to sue for penalties against those who had wilfully neglected or refused to comply with the Act regarding vaccination. The Bill enabled the persons so proceeding to pay for the expenses of prosecution out of the funds of the Poor-law union of the district. He (Mr. Lowe) was no friend to compulsory vaccination, but he hoped that the people would in time become willing to let their children be vaccinated. He thought the best means of bringing about so desirable a result, however, would be by providing plenty of wholesome lymph, and of skilful operators. He was willing to consent to the omission of this clause in the House of Lords if hon. Gentlemen so desired, and he trusted that they would accept it as a peace-offering and a concession. He had been recommended to continue this Bill for another year, but his sense of public duty did not permit him to make this further concession. He was quite satisfied that it was impossible for these powers to be fairly discharged by anybody who held them only upon sufferance. The powers he asked were not of a compulsory nature, and could the Privy Council act with any moral weight if they were told that Parliament would not intrust them with powers for more than a single year? It was not likely that an officer engaged in such duties as those which devolved upon the Medical Officer could discharge them with the same fearlessness as if he enjoyed a more permanent tenure. He did not ask for the Medical Officer of the Privy Council the immunity possessed by the Judges of the land, but he was an officer nevertheless who had to judge of questions affecting the lives of thousands, and it was not too much to ask that he should be surrounded with the same protection that other public officers possessed. He trusted that the House would consider how weighty this matter was. It was proved that not less than one quarter of the deaths occurred from diseases that were entirely preventable. If a single person met his death from a railway accident, Inspectors were sent down to inquire into the circumstances, and would they be less careful where the lives of thousands were concerned? While they were so jealous where mechanical agencies were concerned that they thought no trouble or expense too great, were they doing their duty to God or man if they did not take as much care to mitigate those subtle agencies that slew their thousands where mere mechanical agencies slew their units? He should not be doing his duty if he did not earnestly entreat them not to continue this year-by-year legislation, but to adopt a permanent measure, which by evincing the confidence of the House would obtain the confidence of the country.

Motion made and Question proposed, "That the Bill be now read the Third time."

Mr. AYRTON said the exceedingly temperate manner in which the right hon. Gentleman had moved the third reading had almost disarmed opposition; but he (Mr. Ayrton) was of opinion that any such measure as the present was quite unnecessary. He regretted, moreover, that the discussion on so important a measure was postponed to the third reading. His hon. Friend the Member for Finsbury, who had paid great attention to this subject, had assured him the perpetuation of the powers given by this Bill were unnecessary. The right hon. Gentleman had correctly stated the provisions of the Diseases Prevention Act; but that Act had, last year, been allowed to pass without deliberation, simply because it was a mere temporary measure which was to be seriously considered in the present Session. The powers given to the Privy Council with regard to epidemics, endemics, and contagious diseases, were of so large and extraordinary a character, that he could not conceive that Parliament would confer them permanently upon any body whatever. The Act provided that in the event of any "formidable" epidemic breaking out—that was a loose phrase—the Privy Council should have power to order, in the first place, the more speedy burial of the dead. That was inconvenient enough. In the next place, it might order house-to-house visitations. That was a very large power, and ought not to be exercised except under the direction of some body which had to pay for it. Again, it gave power to dispense medicines; but that was an object already sufficiently provided for by the Poor Law. Next came powers for guarding persons from contagion; a phrase under which anything in the world might be done. All these provisions, be it remembered, did not apply to epidemics only, but to endemics, which was a very different matter. Consumption was an endemic; for it was of the nature of an endemic that it should be a disease to which people were ordinarily liable. But the question arose who was to pay for all this? The Bill imposed the burden upon the local authorities, so that while it gave the Government power to interfere with all the regulations of life, it gave power likewise to throw the whole cost upon the local authorities. Would the House make such a state of things the ordinary rule? It was one thing to say that such powers should be given from year to year, and another thing to say that an Act giving such powers should be permanent. If the country were unfortunately threatened with another visitation of cholera, it would be quite enough if the Government and the House of Commons should deal with it when it came. With regard to vaccination, there were already very ample powers given to the Poor Law Board; and he did not see why, having already one expensive Board, they should give new powers to a department of the Privy Council to deal with the same subject. The Poor Law Board cost this country £200,000 a year, and he thought it would be much better to leave this subject entirely in the hands of that body. That part of the Act, therefore, appeared to him to be entirely unnecessary. With regard to the clause relating to investigations, he should not object to the Privy Council being invested with that power; but he should strongly object to having a new Department set up for that purpose. He should certainly have thought, after the precedent set in the Local Management Act, that it would have been better to confer the power in question upon the Secretary of State for the Home Department. He doubted very much whether there would really be work enough in making the proposed investigations to occupy one person's time; and it seemed to him, therefore, that this branch of the Act vanished with the two former, and that its existence was wholly unnecessary. Under these circumstances it would be better to let the existing Act expire by the efflux of time. As for the objection suggested by the right hon. Gentleman about the Privy Council exercising its sanitary powers, *sub terrorem*, he had only to say that he might just as well attempt to make the Mutiny Act permanent, and give up the system of maintaining the army from year to year. In truth, it was because the measure had hitherto been a temporary one that it had proved so innocuous. He therefore would beg leave to move that the vote for the third reading be discharged, in order that the Bill might be recommitted.

Amendment proposed,—

"To leave out from the word 'That,' to the end of the Question, in order to add the words, 'the Order for the Third Reading of the said Bill be discharged' instead thereof."

MR. W. WILLIAMS said, that whatever might have been the justification for passing the Act in 1855, there was none for its renewal, as since the passing of the Metropolis Local Management Act, the most eminent members of the medical profession had been appointed to watch over the public health. Amongst them he might particularly instance Dr. Letheby, of the City of London. These gentlemen, he had been informed, had made arrangements for meeting in the event of an epidemic breaking out and suggesting precautionary measures, which would of course govern the whole country. The Bill, if passed, would involve an unnecessary expenditure of public money, and, instead of recommitting it, he thought it ought to be rejected at once. In Lambeth he was aware of one most eminent medical gentleman connected with the local Board who had only £400 a year, whereas this Bill proposed a permanent salary of £1,500 a year.

SIR GEORGE PECHELL said, that for ten years hon. Members had been brought down to the House in the hottest part of the Session to discuss a Public Health Bill. He objected to this Bill, as he had done to previous Bills, as one which was satisfactory to no one. To perpetuate the existing Act without amending it would be absolute nonsense, because it depended entirely upon the working of the Local Management Act. It recited that Act in almost every page, and the whole question of penalties depended entirely upon the construction of the Local Management Act. In Worcester so strong was the objection to the introduction of the Act, that it was only after scouring the whole city and getting up all the old people, between 90 and 100 years of age, to vote for it, that at length they succeeded in introducing it. In other towns its provisions were considered so objectionable that it had not been introduced at all, and considering the monstrous power it placed in the hands of certain parties, he was decidedly of opinion that if it were necessary to enact it at all, they ought only to do so from year to year.

MR. HENLEY said, he thought the Bill involved larger principles than the right hon. Gentleman who introduced it appeared to suppose. No one could demur to the objects of the Bill; namely, that in a time of epidemic, power should be conferred upon the Government to take all the means which science pointed out to mitigate the evil; but it was another matter when the House was asked to make perpetual an arrangement with new machinery and less safeguards than existed before. The system of house-to-house visitation was an invasion of the domestic privacy, but it could only be done heretofore under an order of the Privy Council, to which the Lord President or one of the Secretaries of State was a necessary party. That requirement gave the public confidence that the matter had been brought to the cognizance of the Cabinet, and that the vast machinery of the Act had not been improperly put in motion. But the fiat of the Vice President, which it was now proposed should be sufficient, would not give the same confidence, notwithstanding the great abilities of the right hon. Gentleman who now filled that office. Then, again, the House had not any experience of the working of the new system. The right hon. Gentleman had told them that the Privy Council had no special knowledge upon this subject, and could only be guided by the reports of their Medical Officer. That officer was undoubtedly a very competent gentleman, but he did not think it was satisfactory that the whole matter should rest with that gentleman. He would not have objected to the Act being continued for two or three years, in order that some idea of its working could be formed from actual experience; and he hoped the right hon. Gentleman would consent to limit the operation of this Bill to a certain time instead of making it perpetual.

Mr. T. S. DUNCOMBE observed, that if the right hon. Gentleman would consent to limit the Bill to one year, it would be unnecessary to continue the discussion. [Mr. Lowe made a gesture of refusal.] In that case he hoped the House would agree with the right hon. Gentleman who last spoke, and would support a limitation of time in respect to the Bill. As the matter stood now, it appeared to him that a grosser attempt at jobbery, or a grosser violation of good faith towards that House had never been attempted by any public department. It must not be thought, that because two or three metropolitan members had spoken, that the metropolis had any special interest in the matter. In 1848 a Public Health Act was passed for five years, which Mr. E. Chadwick administered at a salary of £1,000 a year. That Bill did a great deal of good, but after a time Lord Llanover thought fit to commence an attack upon it; and of course the Government was a good deal puzzled. They asked the noble Lord if he would undertake the thing himself, and he consented. Accordingly he was appointed to the head of a new department, with a salary of £2,000 per annum, and the Act was continued from year to year, until 1855. The President of the Board of Health appointed Mr. Simon Medical Officer, at a salary of £1,500 per annum. In 1858 the late Government brought in a Bill which was passed, and had acted well, permitting of local control in those matters; but now it was proposed to hand over the whole matter to the Privy Council. But then came the question, what was to be done with the Board of Health, Mr. Simon and the secretaries of the Board. Well, the Vice President of the Committee of Education had but little to do. His office was almost a sinecure, and so it was proposed to assist him by another sinecurist, a Medical Officer, and the whole thing would be comfortable. Such an arrangement would not be tolerated for a moment by the Members of any popular constituency; but the Member for Calne—a rotten nomination borough—saw no objection to it; and so he had undertaken to look after Mr. Simon, and to establish a nuisance all over the country. But the country had something to say upon the point. It was not only a question of expense but of constitutional principle. New powers were given, the Privy Council was to be transformed into an executive department. If these powers were to be given to the Privy Council, why should not others be transferred also? All the acts of that body were done in secret without any responsibility to that House. Then it was to cost £6,000 a year, and all that was to be got for it was the blue-book, containing Mr. Simon's reports, showing his visit to Windsor and two other places. The truth was, no permanent medical officer was necessary. When an epidemic came, there would be plenty of qualified gentlemen who would give their services, and at a much cheaper rate. When objections were urged against the Bill last year, the then Home Secretary (Mr. Walpole) admitted it was an experiment, and therefore consented to limit its operation to the 1st of August, 1859, in order that the matter might be fully discussed during the present Session. Circumstances, however, had prevented any discussion during the Session, and therefore he (Mr. Duncombe) thought he was only making a reasonable request when he asked that the Bill be simply a renewal for one year, in order that in the ensuing Session the attention of Parliament might be given to the matter. To make the thing permanent was such a proposal as a Whig Government alone dare to make. There were compulsory clauses in the Bill which the right hon. Gentleman had promised to strike out, but which still remained. He should certainly support the Amendment of the hon. Member for the Tower Hamlets.

Mr. COWPER said, he thought the hon. Member for Finsbury, from his monomania against public health legislation, could hardly have given his mind fairly to the consideration of this subject. Misled by the name, both the hon. Gentleman and the hon. and gallant Member for Brighton (Sir G. Pechell) appeared to think this was the renewall of the Bill that had been the subject of contest in Mr. Chadwick's time, In the old Bill there were two portions—one which was unobjectionable, and another to which much objection was made. The objectionable portion — the interference with local government — had been made permanent in the Local Government Act, while the unobjectionable part only was dealt with in the present Bill. The hon. Member for the Tower Hamlets (Mr. Ayrton) had asked why meddle with the matter till the cholera came? But you might just as well make no military preparations until the enemy was thundering at your gates. Everybody would remember that at the last visitation of cholera everybody was asking, and asking with justice, why the Government had not taken precautions, at a time when the public health was good? The same hon. Member had also spoken of the acts of the Privy Council as done in secret; but surely a proclamation by the Council, as provided for in the Bill, would give publicity to all their acts. The Diseases Prevention Act was a permanent Act, although its provisions were at first administered by a temporary body—the Board of Health. If this Bill were not passed, the result would be that there would be upon the Statute-book an Act with no one to administer it. The real question was whether medical science was to have a voice in a department of the Executive. For to be of use the sanitary branch of the Council Office must be permanent. Take the case of public vaccination. That operation being left to the public practitioners uncontrolled, vaccination was often performed inefficiently by persons ignorant of the right way of doing it. As the Legislature had enacted that vaccination should be compulsory, they ought to take care, by responsible authority, that it should be properly performed. The hon. Member for Finsbury had accused the department of the Privy Council of being a sinecure; it was certainly not so at present, but he was trying to make it so by depriving it of its present functions and requiring new ones. Mr. Simon had rendered his office a laborious one, and the last report of that gentleman of visits to Windsor, Conway, and another town, where epidemics had broken out, showed the utility of such investigations in discovering the sources of disease. Those who complained of the salary earned by Mr. Simon should recollect that he had given up the emoluments of a lucrative profession in which he held a good position. He was selected as the great authority on sanitary subjects. He took the appointment as a public duty. Had he considered only his private advantage and ease he might have done better by refusing it. There were 100,000 lives annually lost from preventible causes. No measure had been proposed so useful as this, for preserving the life and health of the working classes. It would be the saving of many lives from fever, cholera, diphtheria, and other diseases that ravaged families and made widows and orphans, and yet this was a Bill which Gentlemen who professed to advocate the popular cause opposed. It was thought very reasonable when the newspapers sent their own correspondents to inquire into the diseases and mortality of the Crimea. Well, this Bill enabled the Privy Council to send their "own correspondent," a scientific medical officer, to report upon the causes of death and offer recommendations for the prevention of disease. For these reasons he should cordially support the third reading.

MR. SOTHERON ESTCOURT said, that he was sorry his right hon. Friend the Member for Stamford, Sir Stafford Northcote, was not present to take part in this debate, but he believed if he had been in the House, he would have supported the Bill; nay, further, that had he remained in office he would no doubt have endeavoured to persuade the late Government to introduce it. For his own part he thought it would be better if the Bill were re-enacted from year to year. No one in that House proposed to repeal it; and all they asked was, that sufficient time should be given to enable the House to judge of its general effect. On the other hand to reject the Bill altogether would interfere with a great sanitary movement. But the House were asked to put upon the Statute-book, as a permanent Act, the measure of last year, and he doubted whether the time had come for such a proceeding. By that Act the power of the Privy Council to make the order depended upon the concurrence of the President of the Council or the Secretaries of State, whereas by the present Act any three members of the Council might put the powers of the Act into operation. As soon as the country understood that their legislation was for the public good opposition would cease, for it had never shown any reluctance to raise the money necessary to carry out sanitary enactments. At the same time he thought the whole law relating to the public health ought to undergo a thorough revision, with a view to prevent all clashing of authorities. If they made this Act permanent they ought to take out of it all the powers relating to vaccination, which ought not to be exercised by a central Board, but by local Boards of Guardians. All that the Privy Council should concern themselves with should be to take care that the lymph was sound and good. It was desirable that the country should know a little more of the working of the Act of last year, and if the right hon. Gentleman had proposed to continue that Act for two or three years no one would have objected. Mr. Simon the medical officer, under the present Act, had done his duty very well, and his reports were very interesting; but he did not see how the Privy Council or their medical officer would be in the slightest degree impeded in the exercise of their functions by continuing the Bill as a temporary measure. If at the end of a year or two the results that were anticipated should be shown, then, instead of carrying a permanent Bill by a narrow majority, the right hon. Gentleman might come before the House and pass a permanent statute amid the general concurrence of the House.

Mr. EDWIN JAMES said, he objected to the perpetration of the present Act from a fear that if Parliament permitted the Privy Council to supersede the local authorities the latter would become lethargic. He should be glad to know whether the failures as well as the successes of the Boards of Health were recorded in blue-books, because, in that case, the House might hear something of Croydon, Hitchin, Folkestone, and Chelmsford — in two or three of which towns indictments had been brought against the local Boards for fouling the streams, by emptying their drainage into them. He should not object to passing a Bill for two or three years, but he did most emphatically protest against the attempt to make this a permanent measure.

Sir WALTER FARQUHAR observed, that though he did not wish to reject the measure, he thought it unadvisable to make the Bill perpetual. Time had not yet been given to see how it worked.

Mr. CAYLEY said, he saw no harm in making it a permanent measure.

Mr. BASS said, he saw no harm in passing a permanent Bill, as it would not prevent any future legislation that might seem desirable. The hon. and learned Member (Mr. Edwin James) had complained of the injury done by local Boards, but this only proved the necessity of some central body to supervise the proceedings of the local Boards.

Mr. CONINGHAM said, he must deny that there had been any sanitary failure at Croydon, though he could not but admit that there had been some mismanagement in carrying out the drainage. The pipes at first employed were too small. They had thus got clogged up, and that circumstance, joined to an unusually wet season, had led to an outbreak of fever. But subsequently the health of the town was improved, and the death-rate diminished, as had been the case in every instance where improved drainage had been carried out. A more efficient public officer than Mr. Simon could not be found. His earlier reports when Medical Officer of Health to the City of London were a text-book on sanitary legislation. He should also be sorry to see vaccination performed by improper persons.

Mr. LOWE replied, observing that when the Central Board of Health was destroyed with it fell the compulsory powers. There were some powers which could not be vested in the local Boards of Health, and, consequently, the Government of the Earl of Derby sought to vest them permanently in the Privy Council. The hon. Member for Finsbury used against that Bill the same arguments which he had used that day, and the Government made terms with him, and took the Act for one year rather than run the risk of losing the Bill altogether. Yet hon. Gentlemen opposite now joined in the opposition to the act of their own Government, and he was rather disappointed that he could not count upon their support. He must, however, take his stand upon right, justice, and the public interests. By them he must stand or fall, and not by the permutations or combinations of parties in that House. The right hon. Gentleman the Member for Oxfordshire (Mr. Henley), was wrong in supposing that the powers given by the former Act were by this Act given to an inferior authority. The powers transferred to the Privy Council by this Act were not the powers vested in the Privy Council of declaring that a formidable epidemic, endemic, or contagious disease had visited the kingdom. Those powers were possessed by the members of the Privy Council, of whom the Lord President of the Council or a Secretary of State must be one. It was only the subordinate power of the present Act that was given to the Privy Council, and which might be put in motion by the Vice-President of the Committee of Privy Council. With regard to vaccination, it might not be generally known that it was no part of the examination for a surgeon that he should be a vaccinator at all, and it was therefore necessary for the public to have some protection. He had been told the Privy Council might hire a medical adviser when they wanted one for any special duty. But what was wanted was a medical man who should devote his whole time to the consideration of disease in masses, and who was possessed of all the facts and deductions that the new science of health might supply, and which the most experienced physician and surgeon who was confined to private patients could not be expected to possess. The hon. Member for Finsbury (Mr. Duncombe) had talked of an outlay of £6,000 on this new Board. Mr. Simon's salary had not been raised beyond the sum proposed by the Government of the Earl of Derby and that which he received from the Board of Health. It stood at £1,500, and last year a sum of £1,500 had been taken to meet contingencies, of which £300 had been spent. So that the outlay for the past year had been not £6,000, but £1,800. [MR. T. DUNCOMBE: Take the previous year.] If he were asked why the Bill should be perpetual, he replied because the local Boards, upon whose proceedings the medical officer might have to report, were permanent bodies. If this Bill were continued from year to year the proceedings of the Privy Council would be stamped with a mark of want of confidence. If the medical officer gave offence to any one in his reports he would be told he should hear of it when the Bill was renewed next Session. If the powers now asked for were improper, let them be withdrawn altogether. Let the House visit with its displeasure any excess or abuse. But let not the House paralyze the arm extended over the local bodies. The Privy Council would have to contend with many local elements of prejudice, ignorance, and self-interest, and unless they could bring evidence before the people that would rouse them, the question of sanitary science would not advance, but would retrograde. The victims of a want of good sanitary arrangements were to be counted, not by thousands, or even by tens of thousands, but by hundreds of thousands, and there was no parsimony more miserable, and no jealousy of power more misplaced, than to put an officer like Mr. Simon in a position which showed that the department he administered did not enjoy the confidence of Parliament. It was his duty to state that the powers proposed to be granted under the Bill might not long remain unused. The cholera had broken out at Hamburg, several fatal cases had occurred, and who knew how soon it might reach this country? They knew the temperature, the state of the river, and the predisposing causes that were now in existence. He hoped it would not be said that they were unwilling to hear this fearful visitation named, or that they refused to consider this important question.

MR. SPOONER said, he rose to disclaim any such motives as those which the right hon. Gentleman opposite had chosen to impute to the Conservative party. They had not supported the Bill last year merely because it was introduced by the Earl of Derby's Government, nor did they now oppose it because it was brought in by the present Government. The only reason that he and other Conservative Members opposed the present Motion was because they considered that further trial was necessary, and if it had been a question of renewing the Act for one year, or rejecting it altogether, he should vote for its renewal.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 101; Noes 95: Majority 6.

Main Question put, and *agreed to.*

Bill read 3° and *passed.*

MUNICIPAL CORPORATIONS BILL.

SECOND READING.—ADJOURNED DEBATE.

Order read, for resuming adjourned Debate on Question [15th July], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

MR. SOTHERON ESTCOURT said, the object of the measure was to remove from the Statute-book certain declarations now required to be made by Nonconformists, Jews, and Quakers, and which were said to prevent them from accepting certain municipal offices. Some of the statutes it proposed to repeal were of very ancient date, and he could not consent to that course except after mature consideration. He thought that, as the question was one of religious disabilities, it would be better that the second reading of the Bill should be postponed, and that the subject should be referred to a Select Committee. If that course should not be adopted he should feel himself compelled to oppose the Bill from want of sufficient information in the House to consider the subject. He would therefore move that the whole subject of declarations required as qualifications for the exercise of municipal offices be referred to a Select Committee.

Amendment proposed,—

"To leave out from the word 'That' to the end of the Question, in order to add the words 'the subject of declarations as a qualification for the exercise of municipal offices be referred to a Select Committee,' instead thereof."

Mr. SPOONER said, that it would be a disgrace for the House to pass a Bill which had only been printed seven days, for the repeal of numerous Acts of Parliament, and with respect to the introduction of which the promoters dare not state their reasons. The real effect of the Bill would be to lower the honour and dignity of the Church, and he was surprised that it was proposed to pass it in such a summary manner.

Mr. M. SMITH said, that the disqualifications in question were only galling restraints and not useful tests, and ought therefore to be removed. If he thought it was an attack upon the Church of England he should not vote for it, but he believed it would in no way injure the Established Church.

Mr. NEWDEGATE said, it appeared to him that the present short Session was to be chiefly used for a general attack upon the Church of England. Surely no Dissenter would wish to relieve himself of an obligation by which he was bound not to take advantage of the influence his office gave him to injure the Church of England. Power was granted to them on certain conditions, and what was now asked was that the power of the State should be used by those who held such office to attack the Church of England. If a man were chosen as a municipal officer by his fellow-countrymen he ought not to be permitted to use the powers which the State conferred upon him for the purpose of destroying the Church which the State maintained. The introduction of this Bill was, in effect, the laying the foundation of an internecine war, for he could not understand its object if it was not to attack the Church. The declarations having been accepted they were the conditions of the relation between the Church and the State, and the House was now asked to alter the law in that respect. For what purpose were they asked to do so, if it was not to enable those who had become vested with that power to attack the Church? They had already conflict enough upon these subjects, and he should, therefore, only say that he should vote against the second reading of the Bill, and should take every opportunity, at all events, of deferring these painful subjects until Her Majesty's Government had had an opportunity of considering them in conjunction with the questions that had arisen under the Roman Catholic Relief Act.

Mr. BAXTER remarked, that the declarations were useless; and that in Scotland they did not exist, although the Scotch corporations had what the English had not —namely, ecclesiastical buildings.

Mr. Alderman SALOMONS said, that no more righteous measure could be proposed. It was a general measure to do away with a declaration, which was generally distasteful to Nonconformists of all kinds, and he cordially supported the second reading.

Mr. HENLEY said, he had heard no reason assigned for the Bill. No grievance had been pointed out, no injury had been shown to be inflicted upon any one. Some persons desired to destroy the Church of England and to reduce it to the level of a mere sect in the country, and if it was desired to pass this Bill to enable persons in corporate offices to carry out that wish, the existence of the restraints complained of was undoubtedly an inconvenience, but whether it should be abolished was another matter. He thought some Members of the Government ought to state their opinions upon the subject.

Question put, that the words proposed to be left out stand part of the Question.

The House *divided*:—Ayes 130; Noes 44: Majority 86.

Main Question put, and *agreed to.*

Bill read 2ª and *committed* for *To-morrow.*

WEST RIDING ASSIZES.

QUESTION.

Mr. WILLIAM LEATHAM said, he would beg to ask the Secretary of State for the Home Department whether the Judges have reported on the West Riding Assize question; and, if so, whether it is his intention to lay the Report on the Table of the House?

Sir GEORGE LEWIS said, he was not aware that the Judges had made any formal Report on the subject; but from a document he had found in the Home Office it appeared that the Judges had given to his Predecessor in office their opinion that with respect to the expediency of holding the Assizes for the West Riding at Leeds they agreed in the unanimous judgment of the Commissioners appointed by Her Majesty to consider the question that it would not be expedient with a view to the administration of justice.

COMMISSIONERS FOR AFFIDAVITS.

QUESTION.

Sir JAMES DUKE said, he rose to ask the Secretary of State for the Home Department whether any appointment has been made under the Act of Parliament passed in the last Session, enabling the Judges of the Superior Courts of Common Law to appoint Commissioners for taking Affidavits in those Courts in the City of London; and, if not, what is the cause of the delay?

Sir GEORGE LEWIS said, he was not aware that any such appointment had been made, but he would make inquiries on the subject.

INDIA.—QUESTION.

Mr. H. BAILLIE said, he wished to ask the Secretary for India whether it is the intention of the Government to give the House an opportunity of expressing its opinion upon the reorganization of the Indian Army, or whether it is the intention of the Government to settle the question without reference to Parliament?

Sir CHARLES WOOD said, that it was possible that it might be necessary to bring in a Bill on the subject, and in that case, of course, the opinion of Parliament must be taken with respect to it. If a Bill were not brought in he should certainly make a statement of the course which the Government intended to pursue, and it would then be open to any one objecting to that course to take the opinion of the House on it.

Mr. BRIGHT said, he wished to know whether the right hon. Gentleman was able to fix a day when the subject of Indian Finance would be brought before the House.

Sir CHARLES WOOD said, he was sorry that he was not at present able to fix a day, as the Indian accounts, without which any statement must be unsatisfactory, were not yet on the table of the House.

Mr. BRIGHT said, that surely the right hon. Baronet could state all the facts contained in the accounts in the speech which he made to the House. Would the right hon. Baronet state when the papers would be laid on the table? Considering the time of the Session, he thought he was entitled to put that question.

Sir CHARLES WOOD said, he had not the least objection to give a reply, but the preparation of the accounts did not depend upon him. He expected they would have been presented some time ago, but he now believed they would be on the table to-morrow or the following day. He had not the slightest indisposition to make the statement to which his hon. Friend alluded. It would not be a very satisfactory one when it was made, but he agreed that it would be more satisfactory to the House to have it made as soon as possible.

Mr. BRIGHT said, he would repeat his question on Thursday next.

MILITIA BALL PRACTICE.

QUESTION.

Mr. H. BERKELEY said, he wished to ask the Secretary of State for War, whether it be true that the Worcestershire Militia have been called out four times, have been embodied twice, and stationed at the two principal training camps, Aldershot and the Curragh; that during the whole of that time the men have never had a ball cartridge served out to them, and have the old musket to carry about; and whether this is equally true as regards the North Glocester and other militia regiments?

Mr. SIDNEY HERBERT said, it was true that the Worcestershire Militia had been twice out in training, in 1853 and in 1859; and they had also been twice embodied—from November, 1854, to June, 1856, and from November, 1857, to May, 1858. They had been at Aldershot, and also at the Curragh. He found that 6,000 rounds of ball cartridge had been served out for practice. He, as Secretary for War, gave no orders as to the practice of any particular regiment. All he had to do was to honour the orders that were sent for material. It was quite true that at the time referred to the Militia had not got the Enfield Rifles; but now they had them, and he hoped that all the embodied Militia would have them soon. The military authorities, the Colonels commanding the regiments, and the Generals inspecting where the militia regiments were quartered, were the persons to decide on the nature of the drill to which they should be subjected, and how far it should be carried.

THE ENFIELD RIFLE.

QUESTION.

Mr. HUSSEY VIVIAN said, he would beg to ask the Secretary for war whether the Enfield Rifle alluded to in the War

Office Circular of the 13th instant was the short Rifle furnished to the Rifle Brigade, or the long Rifle used in the Line?

MR. SIDNEY HERBERT was understood to say that the long Rifles were those of which the Government had the largest store, and which would consequently be issued at present; but he hoped that no long time would elapse before there would be a sufficient supply of short Rifles to enable the Government to issue them to volunteers.

LORD JOHN RUSSELL'S DESPATCH TO THE PRUSSIAN GOVERNMENT.

QUESTION.

MR. SEYMOUR FITZGERALD said, he would beg to ask the noble Secretary for Foreign Affairs whether the document which has appeared in the public journals, purporting to be a copy of a despatch addressed by the noble Lord to the Court of Berlin, is authentic? A similar question had been put in another place when it was stated that some errors had been committed in the translation and retranslation of the despatch, and he wished to know whether the noble Lord will lay an authentic copy of the document upon the table?

LORD JOHN RUSSELL replied, that with the exception of some errors made in the translation, the document as it had appeared in the public prints was correct, but if the hon. Gentleman would move an Address to the Crown he would have no objection to produce the despatch in an authentic form.

MR. SEYMOUR FITZGERALD had understood the noble Lord to say on a former occasion, that he had received a reply to the despatch from the Government of Prussia, and he wished to know whether he would object to lay a copy of that document upon the table along with his own Despatch?

LORD JOHN RUSSELL said, if the hon. Gentleman would allow him to take a day or two for consideration, he would state whether the Government were prepared to lay upon the table the further correspondence on the subject.

ORGANIZATION OF THE INDIAN ARMY.

OBSERVATIONS.

MR. BUXTON said, he rose to call the attention of the House to that portion of the Report of the Commissioners upon the Indian Army which referred to the amount of force to be maintained in future. He should hardly have had the courage to detain the House, even for a very short time, in such weather, had he not found that in the opinion of many of those most versed in Indian affairs this really was a matter of vital consequence. The proposal of the Commission was that an army of no less than 190,000 sepoys should henceforth be maintained, with 80,000 European troops, making a total force of 270,000 soldiers; and it was highly important to observe that this force was quite independent of the military police corps, of which the Commissioners said that "They have been formed, or are in course of formation, throughout India; and, neither in numerical strength, nor yet in military organization, does this force differ in any essential respect from the regular Sepoy army." Now this military police force, scarcely differing, as the Commissioners said, from a regular army, amounts already to 97,000 men, and was rapidly increasing, so that before long we should have a force of something like 400,000 men in arms, of whom more than 300,000 would be natives. Now, it might seem very presumptuous for a civilian like himself to throw any doubt upon a proposal emanating from a Commission composed of ten distinguished generals. Nor could he venture to do so. All he wished was to draw attention to the subject, so that at any rate it might be thoroughly sifted; for, whatever the counterbalancing arguments might be, no one, he supposed, would deny that the evils and risks attendant upon the maintenance of so vast a force would be most serious. At the outset the financial aspect of the matter was, he might fairly say, alarming. Every thoughtful statesman, he believed, felt the greatest anxiety as to the financial prospects of India. In spite of all the expedients that could be devised it seemed impossible to make both ends meet, except by means of loans, and he need not say how shortsighted—in the long run how ruinous—it would be to depend on that delusive aid. So far from their being in a position to aggravate Indian taxation, all those most intimate with that country urged emphatically the importance of lowering the taxation from its present height. There was no doubt that in Southern India, at any rate, the cultivators of the soil were oppressed almost beyond bearing by the assessment on land. Mr. Kaye, the celebrated advocate of the East India Company, said, "It would be well that it should be clearly understood how, at the bottom of all our misdoings and all our shortcomings, is this miserable want of money." He would dwell no further on this point, because he was well aware that no man who knew anything of Indian affairs would dispute the vital importance of bringing her finances into a better state. But if they were to keep up a force of 270,000 soldiers besides military police corps throughout India it would be impossible to avoid financial embarrassment. The people would be still more crushed. Those public works from which so much was hoped for the happiness of India would be brought to a standstill. In short, a heavy blow would be dealt to the best interests of the empire. Now, of course these evils would have to be cheerfully encountered if they were necessary to the security of our dominions. But, he put it to the common sense of every gentleman here whether, in organizing and arming a body of about 300,000 Natives, they were not running headlong into a fearful risk. That, at any rate, was the view of many men of high authority. But the Commission seemed to think that it had fully guarded against that risk, by proposing a force of 80,000 Europeans to keep the Native troops in check. The experience of the mutiny, however, showed but too clearly that the presence of even an overwhelming British force, that even the impossibilty of success, that even the certainty of destruction, would not keep a Native regiment from mutiny if it once had caught the infection. Of course he allowed that, if they were to put arms into the hands of 300,000 Natives, they must have 80,000, or perhaps 150,000 Europeans to suppress, even if they could not prevent mutiny. But it must not be supposed that by such a force of English they secured themselves from an explosion. And it was again matter for serious thought that the maintenance of so great an European army, which would be necessitated by the maintenance of so vast a Native army, would involve a really awful sacrifice of life and health to those English soldiers. No one who had not had occasion to look into that point could have an idea of the waste of life that would ensue. To use the words of one of the witnesses before the Commission, "The sacrifices in men and money caused by the climate are astounding,"—"the medical statements would almost stagger belief." In fact, Colonel Tulloch's statistics showed that out of a force of 80,000 English nearly 6,000 would perish every year. But the permanent loss of health to thousands upon thousands more was no less painful to reflect upon. It seemed inexpressively mournful that so many of our brave defenders should perish miserably on the plains of India. A grave responsibility therefore rested on those who made a proposal tending inevitably to that result, unless the necessity for it could be shown to be a real and dire one. But further, the replenishing of so large a force, and one dwindling away so quickly, must seriously interfere with the recruiting for the home army. Colonel Tulloch proved that if all the proposals of the Commissioners were carried out, there would be just 30,000 annual passages of soldiers between India and England; and as the voyage took four months, this gave a force of nearly 10,000 men always at sea, whose services therefore would be utterly lost both to England and India. He knew that very great doubt was felt by those competent to judge whether it was not literally impossible to keep up the force recommended by the Commission without dangerously skimping our home defences. He thought it would be allowed that these were serious considerations. But of course the question was, what there was to counterbalance them, and here the Commission left us altogether in the lurch. On one of their other proposals they launched out into very long arguments, but not a single word did they say in support of this proposal. In one of his letters to his brother Joseph, the great Napoleon said, "There never was a general who did not cry out for a large army." And as the Commission consisted of ten Generals and only one civilian it was perhaps but natural that they should recommend the employment of a large force. He doubted however whether that House would be disposed to receive their *ipse dixit* as conclusive. But perhaps it might be thought that, although the Commission did not reason the matter out itself, it gave the conclusion from the reasonings of the witnesses who were examined. But it was the fact, and a very remarkable fact, that in no one instance did the Commissioners inquire from any witness the grounds of his opinion as to the amount of force. Nor after long and patient search through the blue-book had he been able to discover one instance in which any witness volunteered such an explanation. Was it thought, on the other hand, that although neither the Commission nor the witnesses reasoned out the question, still the proposal of the Commission was founded, if not upon reasoning, yet upon the greater number or greater authority of the witnesses whom they called before them. Quite the reverse. For instance, the Commissioners recommended 50,000 Europeans for Bengal; yet out of the twenty-seven witnesses examined on that point, eighteen recommended a force varying from 20,000 to 45,000, but largely below 50,000, while only one third recommended 50,000 or upwards. But, what was most remarkable, they proposed 15,000 Europeans for Bombay, although not one witness recommended so large an amount, and General Griffith, who seemed to have gone fully into the question, only demanded a force of 7,000. And again, as to Madras, they recommended a force of 15,000 Europeans, though Earl Canning placed the amount at 11,000, and no single witness went beyond, except a civilian named Thomas.✕ Thus it would be seen that the proposal of the Commissioners was not borne out by the bulk of the evidence which had been given before them. Amongst those who recommended a smaller force than that which the Commissioners named were General Pollock, General Low, General Ashburnham, General Sir Archdale Wilson, General Jacob, General Cotton, and others. Now, it would be absurd to doubt that arguments of some kind or other must exist in favour of the proposal of the Commission; and as it was a matter on which no human being could have any personal or party feeling, he had sincerely endeavoured to make out what those arguments were. Though foiled in his study of the blue-book, he had made inquiries among gentlemen of large Indian experience, but wholly without success, and he had in vain exerted his humble ingenuity to the same end. Would they be told that the object of this force was to escort treasure? He found the Commander-in-Chief speaking with some indignation of what he called "the most unnecessary guards and escorts required to be given by the army," and one officer of great experience declared that the whole system of escorts could be put an end to by giving orders on the Native bankers, instead of sending backwards and forwards vast amounts of treasure. Would they be told that the army had great police duties to perform? That was true formerly; it was true no longer. Those duties were to be devolved on the police corps that were being formed throughout India. The only object, then, of this army was to defend the country from some enemy. Where was that enemy to be found? No one dreamt of an invasion from Thibet. The wild tribes on our north-west border could be repelled by a small force supplied with Enfield rifles and Armstrong guns. There was literally no risk lest India should be invaded. The only motive that remained for keeping up this vast force was to secure our dominion from a domestic foe. But he again put it to the common sense of every hon. Gentleman who heard him, whether, instead of making ourselves more secure, we did not run a fearful risk by arming and organizing a body of nearly 300,000 Natives? What was the lesson taught us by the mutiny? Was it not this, that while we had nothing to fear from the unarmed population, the troops whom we had trained and armed might at any moment fly at our throats? We knew now for certain that this danger was a real one, that it was a portentous danger—a danger against which no precautions could insure us; and yet, with all the horrors of the mutiny still fresh in our recollection, we were actually going not merely to restore our Native army to its former strength, but to render it a great deal more powerful. Who could wonder that Indian statesmen should stand aghast at what he had heard one of them characterize as "so monstrous a proposal?" Presumptuous as it might have seemed to him to call attention thereto, he thought that he, or any man, however obscure, had the right to ask what the grounds were for a proposal which bore on its very front the strongly marked likelihood that it might lead to a renewal of the unspeakable horrors of two years ago. He now challenged the noble Lord the late Secretary for India, and the right hon. and gallant Gentleman the late Secretary for War, as the two Commissioners who sat in that House to furnish that explanation. He was very glad to have the noble Lord the Member for King's Lynn (Lord Stanley) to appeal to, because, if he in his heart disapproved the proposal made by his brother Commissioners, he was the last man to shrink from saying so. On the other hand, if there were some occult arguments which had satisfied him, they would be likely to set the minds of others at rest as well. But, as left by the blue-book, the case stood thus:—This proposal was not supported by one word of argument. It was condemned by the greater number and by the greater weight of the witnesses. It must lead to financial embarrassment; it might lead to financial ruin. It would again defer the long-hoped relief to the starving cultivators of the soil. It would stay the progress of education and of public works. It would involve a fearful sacrifice of life and health to the English troops. It would interfere with our home defences. Above all, it would prepare the materials for an explosion that might again fill India with carnage and ruin. In conclusion, he would beg the noble Lord the Member for King's Lynn, to inform the House what were the reasons on which the proposal of the Commission was founded.

LORD STANLEY rose to reply.

MR. SPEAKER intimated that there was no Motion before the House.

MR. BUXTON said, he would move that the Report of the Commission be laid on the table.

MR. SPEAKER: There is no Motion before the House.

SIR EDWARD COLEBROOKE: I move that the House do adjourn.

LORD STANLEY: Sir, I will avail myself of the opportunity now afforded me to answer as briefly as I can the question put to me by the hon. Member opposite. The hon. Gentleman has challenged me to state whether my opinion agrees with or differs from that of the Commissioners generally on the subject of the amount of military force which ought to be maintained in India. Upon that point I will merely say that I do not believe it is possible for any set of men in this country, whether they be civilians or military men—I doubt whether it is possible for any set of men even in India—to lay down positively and precisely what is the amount of force, not at the present moment required to maintain tranquillity in India, but which will be wanted when the disturbances have entirely ceased, and when peace is completely restored. That is a question which does not admit of a precise reply, and when the hon. Member says that the Commissioners have adduced no arguments to show that 80,000 Europeans are required to preserve peace in India, I do not know in what manner you are to argue the question, or to prove that the exact number required is 60,000, 70,000, or 80,000, otherwise than by taking the opinion of the most experienced and competent witnesses whom you can find, and ascertaining what is their view as to the amount of force which is sufficient to maintain tranquillity in the various districts in India. But when the hon. Member says that, in the recommendation the Commissioners have offered, they have gone against the evidence which was laid before them, I should like to state in half a dozen words what the substance of that evidence is. I have looked through it to-day, so far as the number of European troops is concerned, and I find that of the witnesses, General Low gives a force of 45,000 for Bengal; Colonel Wylie, a force of 40,000; Captain Browne, 40,000; Sir G. Clerk, 50,000; Colonel Master, 40,000 to 50,000; Sir S. Steel, 40,000; Sir C. Trevelyan, 40,000; and Colonel Durand, who was sent over from India by Earl Canning, expressly to represent the views of the Indian Government, forty-five battalions, which, I presume, means 45,000 men. The recommendation of the Commissioners, expressed in very general terms, was that something like 50,000 Europeans would be required for Bengal. With respect to the whole of India, Major Baird told us that in his opinion 80,000 Europeans would be required; Colonel Felix gave the number at 60,000; Sir R. Vivian at 60,000 to 70,000; Colonel Holland at 60,000; while the Earl of Ellenborough thought we ought to have 60,000 local European troops. I have also had an opportunity of ascertaining what the opinion of Sir John Lawrence was upon the subject, and no man either in India or England appeared to me to be more strongly impressed with the necessity of maintaining a large and even a preponderating force of European troops. As for the number which may be required at a subsequent period, I do not think it can be denied — no one who sat upon the Commission desires to deny — that a considerable reduction may and ought herafter to take place when certain results have been attained which are at present only in course of attainment. No doubt, when you have connected all the principal military stations in India by railroads, when those comparatively new acquisitions, which form so large a portion of your Indian Empire, have been consolidated and become accustomed to your rule, and when that disarmament, which is now in progress in several provinces in India, has been more effectually and extensively carried out, such a military force will no longer be required as at the present moment, and for some time to come, will be wanted to maintain the tranquillity of the country. But I do not think it can be said with truth that a powerful military force is not now required in India. If you take the actual population of India, including those Native States over which England exercises a military supremacy, and compare it even with that large force of 300,000 men which has been referred to by the hon. Member, you will find that the proportion borne by the army to the population is considerably less than in the majority of European States. But I repeat now what I stated on a former occasion, that the recommendations of the Commissioners were directed to the military question—that they were offered subject to many qualifications—and that it was never intended to act upon them irrespective of financial considerations. A force so large as that mentioned in the Report of the Commissioners, may, in the present state of Indian finance, be greater than the revenues of the country could bear; and if so, you may be justified in incurring one risk to avoid a greater, and in maintaining an amount of force, lower than that which you would think expedient with a view to the preservation of tranquillity. With respect to what has been actually done, I am able to say that very urgent instructions were sent out from this country, and have been repeated on more than one occasion, to the effect that a considerable reduction should be made in the number of Native troops. The Native force, when I last received any official account of it, was larger than at the outbreak of the mutiny. But this has not been the result of any pre-conceived plan, nor has it arisen from any intention to replace the old Native army by a new one of equal extent; it has taken place simply because in the actual circumstances of India, the Government were obliged to take soldiers wherever they could find them, and could not disband them until the danger had gone by. However, there is a considerable reduction now taking place in the number of Native troops, and that diminution will be carried much further. But with respect to the question of expense, I should say that a Native force is by far the least costly, the calculation being that one European soldier costs as much as eight Natives. I do not think the House would desire to go into details on the present occasion, and therefore I will merely repeat, in conclusion, that while the Commissioners have stated what amount of European troops is required in a military point of view, they at the same time, I conceive, would readily admit that their views ought to be largely modified by those financial exigencies which at the present moment press so heavily upon the Government of India.

SIR ERSKINE PERRY said, it was clear that the course adopted by the late Government had altogether failed in settling the great question of the reorganization of the Indian army. The Military Commission they had appointed had produced a most unsatisfactory report, or rather two reports, for there were two, one of which was opposed to the other; and it was for the House to consider which of the two should be adopted. Although the question to be determined was far more a civil than a military one, inasmuch as it embraced considerations not only of finance but of the principles of Government to be adopted in India, the Commission consisted of a number of generals and only one civilian, and of its military members the majority were not at all acquainted with India. The consequence was, as one might see from every line of their Report, that the main subject present to their minds was not the Indian army, or the interests of India, but the British army, and the interests of their profession. He complained, also, that the Commissioners kept out of sight the views of Indian officers. From having brought forward some years since a Motion for the amalgamation of the two armies, he knew the opinions of Indian officers upon the subject, and that what those officers dreaded above all things was, the influence and favouritism of the Horse Guards; and yet it was a fact that, although the late Secretary for War, who, as Chairman of the Commission, acted impartially, ruled that inquiries respecting the Horse Guards and the sort of appointments they made in India might be addressed to the witnesses, the Indian general (General Hancock) who had expressed a wish to ask such questions was not allowed to put them, and accordingly he made a separate report. In that report he has had the courage to put on record his opinion as to the jobbing displayed in placing in the chief commands in India men incapacitated from age, infirmity, and inexperience. Whether the military force in India should be a force of the line, or a local force combined with a detachment of the line, was a question which had been left by the Committee altogether in doubt. He was very glad to hear the noble Lord opposite (Lord Stanley) give in his adhesion to what was the almost universal opinion of those who were acquainted with India, that for the good of India, and for carrying on the administration of government without collision between different departments, it was desirable to have a local European force. Her Majesty's Government had not yet expressed any opinion on the subject, but proceeding upon his recollection of what fell from the noble Lord (Viscount Palmerston) when his measure for India was before the House, he (Sir Erskine Perry) had little doubt what the opinion of the Government would be when it came to be expressed. The question of the army of India was one that went so deeply into questions of finance and questions of government that he hoped to be forgiven if he should dwell somewhat more at length upon it. There were two theories prevalent in Indian circles as to the mode of carrying on the Indian Government. The one was that Natives were so thoroughly untrustworthy, so false to their European masters, and so unreliable, that in order to prevent a sudden outbreak of rebellion, it would be indispensable that we should keep up an overwhelming European force. During the last two years, accordingly, that force had been raised to three times what it was. There were now 111,000 European and 270,000 Native troops in India, altogether, as his hon. Friend said, nearly 400,000 men under arms. These views, even if they were sound in policy, would yet be altogether incompatible with the present condition of India. The revenues of India were not sufficient to meet the expense, and England, as the Crimean war had proved, could not furnish the men. As regarded the question of finance, they knew that even before the outbreak of the rebellion the expenditure was greater than the revenue. The rebellion itself had cost the country no less than £40,000,000, and before all was paid for the permanent charge upon the revenues would be upwards of £3,000,000 per annum. It was clear, therefore, that instead of an increase of the permanent military forces, the better opinion was that which recommended a reduction of the number of our gigantic army to limits which the country could bear. That object could only be attained by carrying out the second theory to which he had referred—namely, by governing with the co-operation of the Natives, by engaging their sympathies. That was the opinion which his twelve years residence in India had implanted in his bosom. He felt it was impossible that our system could endure if the Native was to be religiously excluded from every place of profit and honour in his own country; and he had accordingly, on every occasion that offered, advocated the introduction of a more liberal policy towards the Natives by employing them in places suited to their abilities. He hoped that the late rebellion had taught us many valuable lessons. And he appealed particularly to the Conservative side of the House in behalf of the Native landholder and gentry. What was the system which we pursued with the Native army? Our system was to give high pay to the rank and file, more than double the amount which could be gained by a day labourer; and to provide excellent pensions for those obliged to retire from the ranks, making it thereby the best conditioned army in the world, as far as regarded the common soldier. But it also excluded the Native gentleman from every field for the exercise of his ambition and the employment of his abilities. Now the system had completely and confessedly broken down. He was satisfied that the employment and encouragement of the landed gentry of India was the best security which we could find for the future. The corps to which they were admitted formed not only a better but a cheaper force than could be obtained from Native troops drilled and equipped on the European model. The Native cavalry, for instance, equipped and drilled in the European manner, cost us £102 per man, whereas the Native irregular regiments commanded by Native Gentlemen, cost but £35 per man; and he (Sir Erskine Perry) did not hesitate to say before the present and the late Secretaries for India that the irregular forces were by far more efficient and serviceable than those tightly dressed dragoons, drilled and equipped after the model of the Prussian cavalry. Lieutenant Merewether's evidence before the Army Commission will be found most interesting. He had commanded a corps of Jacob's horse, and he spoke of the efficiency and trustworthiness of these irregular forces in the highest terms, and testified to his readiness to face any foe with them in any quarter of the world. They had achieved deeds of renown on every field where they had been employed in India and in Persia. Sir John Lawrence, in the Punjab, acting on a similar opinion, raised ten battalions of irregulars, in which only five Europeans were employed, the corps otherwise being officered by Sikh and Mahomedan gentlemen. That corps had done signal service to the Queen of England. It was on these grounds, and with that experience before him, that he (Sir E. Perry) contended that we ought to give encouragement to the Native gentlemen, and engage their sympathies by the same liberal policy as we should wish others to pursue to ourselves if we were overrun by a triumphant enemy. Let the House look to the French in Algeria, where we heard of their employing Arab generals in command of native troops. That course also had been recommended by the ablest men that had appeared in India. Sir Charles Napier was in favour of it, and set them the example by the employment of two Native gentlemen as aids de camp in places of equality with Europeans. General Hancock strongly recommended the formation of corps of cavalry, which would cost them £35 a man instead of £102, and of infantry, at an expense of £15 a man instead of £25. And when it was said that that system would endanger our supremacy in India, his answer was that our supremacy depends upon our own just government, and on non-interference with the religious views of the Natives. Let the House attend to the solemn opinion of Sir John Lawrence, who is often cited by those anxious to introduce the Bible into all Hindoo and Mahomedan schools. In a paper lately laid before the House, he states that he did not trace the slightest sign of conspiracy in the late rebellion, but that it was all founded on the fears of the Native soldier that it was the intention of Government to interfere with their religion. He (Sir E. Parry) would give as another reason for the outbreak the exclusion from offices of profit and command that was so rigidly enforced against native Indians. In future the government of India must be made more congenial to the feelings and wishes of the people. In this country we acted on the principle of justice to all classes, whether Churchmen, Dissenters, or Roman Catholics, and non-intervention with the religious opinions of any class. If this principle were acted on in India that empire would become a great blessing to this country, and civilization would at the same time be widely diffused. He was not sanguine as to our being able to establish very good government in India, because we were so different from them in race, colour, habits, and religion that real amalgamation was well-nigh impossible. Nor is the fault entirely on our side as a race of haughty conquerors, much is owing to the unsocial character of the Hindoo. They would not eat with us, or drink with us, or intermarry with us. Their amusements are not our amusements, their social life is wholly different from that which we lead. But with all these drawbacks, he believed that England by the observance of just principles, and by the same strict neutrality in matters of religion, which is adopted towards Dissenters, Catholics, and Jews in this country, would introduce a better system of government than India had ever known. He trusted that the right hon. Baronet, who had got the power into his hands, would carry out the same liberal views with regard to the army that he had formerly shown in the case of the civil service, and that by attending to those principles of justice that were as strong in the Hindoo mind as in our own, by opening the way for them to offices of trust and profit, and presenting to them a fair field for legitimate ambition, he would promote the true interests and happiness of India.

Colonel SYKES said, he thought the country was indebted to the hon. Member who had raised this question, for it was a question on the proper consideration of which depended the future conditions of the finances of India, and by association the finances of this country. He would confine his observations, however, to the one subject before the House—namely, the number of European troops necessary to be maintained in India for the future government of that country. The noble Lord the Member for King's Lynn (Lord Stanley) had expressed himself as being at a loss for any basis on which to come to any definite conclusion as to the number required for that purpose. But if the noble Lord wanted such a basis, he needed not to go further than the traditional policy of the East India Company. Now, what was the traditional policy of the East India Company? In the year preceding the outbreak of the Affghan war, the number of Royal troops in India was 16,040 infantry, and 3,711 cavalry; being a total of less than 20,000. Two years later, in consequence of the number of troops sent out from this country, the number of the infantry was raised to 25,000, and the cavalry to 4,000, still making a total of less than 30,000 of the Royal Army. The Company's European troops had risen from 15,000 to 20,000 men, so that from the period of the Affghan war down to the outbreak of the late mutiny, the number of European troops was always under 50,000. In the year 1857, when that outbreak occurred, the number of infantry of the Royal Army was 25,095 men, and the cavalry 2,955, a total of less than 30,000, while the Company's Europeans amounted to 20,000, and yet this force had proved itself amply sufficient to break the neck of the rebellion, and to crush it at Delhi, at Lucknow, and Cawnpore, before a single company of reinforcements arrived from Europe. If at such a time 50,000 Europeans were sufficient to crush the rebellion, surely in the future, when not a fortress existed throughout India which would require to be reduced, nor a Native power with a force capable of resisting half-a-dozen battalions, surely they would not be seriously asked to maintain 110,000 European troops in India in addition to the 21,000 in the depots in this country out of the revenues of India. Was such a demand reasonable, was it just to India, was it just to this country; which after all, whatever might be said to the contrary, must be ultimately responsible for the engagements of India? He did not hesitate to say that a body of 50,000 Europeans would be amply sufficient, and was the utmost number that the country would require. It was impossible for India to pay for more; and if the authorities persisted in maintaining a larger number, there would be a constantly recurring defalcation in her revenue. If they wished to govern India, it must be through the good-will and confidence of the people, and not by the sword.

MR. SMOLLETT said, he rose to express his concurrence in an observation that fell the other night from the hon. Member for Invernessshire—namely, that the actual amount of force that must be maintained in India would depend on the measures taken by the Indian Government. If the authorities in India were permitted to set aside the Royal Proclamation, then no amount of force England could send to India would maintain tranquillity in the country. It was high time, he thought, that the pledges given in Her Majesty's gracious Proclamation should be authoritatively carried out. The people of India were promised that they would be protected in their land possessions. In order to their being so, the resumption commissions ought to be utterly extinguished. The scheme of proselytizing the people by giving large grants to missionary establishments from the revenues of India should also be put an end to. We should also restore some of those chiefs and dynasties that had been deposed from positions of rank and influence. In his opinion, unless the Government was prepared to adopt measures for ameliorating the condition of the Natives of India, and securing their affections; unless they strove to rule the two hundred millions of India by love rather than the sword, they would signally fail to advance the prosperity or improve the financial position of India.

MR. KINNAIRD remarked, that the noble Lord (Lord Stanley), when he quoted the opinion of Sir John Lawrence as to the large force which should be kept up in India, omitted to mention another opinion of his, in favour of having a large irregular force. Allusion had been made to an opinion to which expression had been given by Sir John Lawrence, with reference to the origin of the mutiny in India, to which he wished to direct the attention of the House. The opinion to which he referred was contained in a letter addressed by Mr. Temple, Secretary to the Chief Commissioner of the Punjab, to Mr. Edmonstone, and was to the following effect:—

> "Indeed, it is Sir John Lawrence's very decided impression that this mutiny had its origin in the army itself; that it is not attributable to any external or any antecedent conspiracy whatever, although it was afterwards taken advantage of by disaffected persons to compass their own ends; and that its proximate cause was the cartridge affair, and nothing else. Sir John Lawrence has examined many hundreds of letters on this subject from Natives, both soldiers and civilians. He has, moreover, conversed constantly on the matter with Natives of all classes, and he is satisfied that the general, and indeed almost the universal, opinion in this part of India is to the above effect. It may be true that discontented Sepoys worked upon the minds of their less guiltless comrades, and persuaded them that a sinister but systematic attempt was about to be made on their ceremonial religion; and that in many regiments the majority were misled by designing individuals. But, as a body, the Native army did really believe that the universal introduction of cartridges destructive of their caste, was a matter only of time."

Now, his hon. Friend near him (Sir E. Perry) had represented Sir John Lawrence as saying that the mutiny was produced by an interference with the religion of the Natives. That was not exactly Sir John Lawrence's expression; he said that it was produced by an interference with their caste; that it arose in the army itself, and was not the result of any external conspiracy; the proximate cause of it being the cartridge affair, and nothing else: that it arose from the dread of an interference with their ceremonial religion, and the belief that the entire destruction of their caste by the cartridges was only an affair of time. The House ought also to know that it was Sir John Lawrence's opinion that were it not for the pains that had been taken to keep the army from any knowledge of Christianity, the Natives could never have entertained such an erroneous idea.

MR. HADFIELD said, his own opinion of the way in which the mutiny had been brought about was, the manner in which the Sepoys had been pampered, until they had turned upon their masters. If the Government had raised the degraded classes of India into the condition of men, and placed them upon a proper foundation as subjects of Her Majesty, his belief was that the troops would have remained loyal to the Crown. He denied that the missionaries received any subsidies from the Indian Government. They repudiated altogether the idea of engaging in the work as mere mercenaries, and he was quite sure that the society to which he belonged, and which had been very zealous in the cause of the missionary, would quickly cease to exist if it adopted any principles of a mercenary nature. So far from supporting the missionary efforts, the Government opposition to them was discreditable and disgraceful. Reason, justice, and truth, were the only influences brought to bear in support of the missions, and there was no greater enemy to Christianity than the Government of India.

Mr. VANSITTART said, that the opinion which he had formerly expressed with respect to the amount of European troops which ought to be kept up in India, remained unchanged by anything he had heard in the course of the debate. Hon. Members might say that we could dispense with our large European force if we instituted a better system of government, but he deprecated the use of such observations, for he thought that they were likely to mislead the public, and to have an injurious effect in reference to the Government of India. Our position as regards that country was somewhat peculiar, distant as she was some 15,000 miles from our shores. But, in addition to that circumstance, there was the fact that the character of the Natives of India was extremely impulsive, and that the greatest necessity existed for affording sufficient protection to those English capitalists who went out to settle in the country, by whose means civilization was extended, and who would be prevented from making it their home if the European force maintained there were to any great extent done away with. The subject was one of considerable importance, and he would recommend to the right hon. Gentleman the Secretary for India to deal first only with the Presidency of Bengal, and then if the plan succeeded there it might be extended to the other Presidencies. There was the more ground for such a course, as the mutiny had been confined to the former province. With regard to the Bengal army, however, he had seen some months ago a plan propounded by Earl Canning, which was so ably conceived that he would venture to submit it to the House. It was to the effect that forty regiments of European infantry should be raised for Bengal, and that to each of those forty regiments a regiment of Native auxiliaries should be attached, which should be commanded by a commandant, a second in command, an adjutant, an assistant-surgeon, and six non-commissioned officers from the European regiment with which it happened to be connected. It was also suggested that the Native force so constructed should have no separate parade, no separate colours, and no separate order or word of command, and it was expected that the result of the adoption of such a proposal would be that a sufficient precaution against treachery on the part of the Native troops would be taken, inasmuch as there would always be on the spot an European regiment to crush any attempt at revolt. By the adoption of that scheme we should also secure the advantage of having a hot-weather force, and if, out of an army of 113,000 men which might be thus raised, 40,000 were made available for the Punjab; 60,000 for the North-Western Provinces, and 13,000 for Bengal Proper and Behar, we should have made an admirable provision for the defence of that portion of India, at an additional expense of about half a million a year above that which the Bengal army had cost before the mutiny had broken out. If the right hon. Baronet opposite, however, should object to this scheme he should recommend him to take into his consideration the evidence which had been given before the Commissioners by Sir Charles Trevelyan.

MR. BRIGHT: I shall not attempt in the course of this somewhat irregular debate to enter into the details of this question. The subject is one of the utmost importance, and the House is, I think, much indebted to the hon. Member who introduced it to our notice, as well as to the hon. Member for Devonport (Sir E. Perry) who, in his speech, adverted to many topics which are worthy of our most serious consideration. I rise mainly for the purpose of asking the right hon. Gentleman the Secretary for India a question which I hope he will not deem me pertinacious in pressing upon his attention. The subject is one with respect to which, after what has taken place, he can scarcely fail to perceive an uneasy feeling prevails on both sides of the House. The question of Parliamentary Reform is as important; that of our financial position demands our most serious consideration, but I doubt if either of those important matters are of such immediate consequence as that which has been introduced to our notice to-night. It is because I am of this opinion, and because I never turn my attention to India without something of alarm, that I am anxious to ascertain from the right hon. Baronet when he proposes to bring the question of Indian finance before the House? It is certainly an unpleasant subject for a Minister, but the right hon. Baronet will best consult his future credit as well as the interests of England and India by inviting the attention of the House of Com- with the fullest confidence to the difficult —I had almost said—the insolvable problem of Indian finance. The noble Lord the Member for King's Lynn, who has filled the office of Secretary for India for more than twelve months, knows that no other department of the Government can compare with that for difficulty; and, notwithstanding the intelligence, the industry, and the absence from prejudice by which he is distinguished, his best friends feel that while he held that office he encountered difficulties which he was not able fairly to overcome. Those difficulties now stand in the way of the right hon. Gentleman who has succeeded him; and I speak not as a political opponent, but as a political friend, when I recommend him to ask the judgment and opinion of the House upon them in the frankest possible manner. If there is any statesmanship among us there is here ample opportunity for its exercise and display. If this matter of India were settled so that we could feel satisfied about it, it would afford me greater pleasure than any change connected with the institutions or the Government of England which could take place. I hope the right hon. Gentleman will see that I have pressed this question upon him repeatedly, not because I wish to worry him in his office, but because I am anxious that while Members remain in town, and while there is still the disposition and the power to consider the question, we should have brought before us this solemn and important matter, upon which every man should be asked to give his judgment to the best of the faculties and abilities which he possesses.

SIR CHARLES WOOD said, he gladly rose to inform his hon. Friend (Mr. Bright) that he should be the last person to complain of his pressing this matter on his attention. Knowing the great interest which his hon. Friend had taken in Indian matters for many years, he would say that no person was so well entitled to bring forward a question of this kind as his hon. Friend. He could assure him that he should be perfectly ready to take his advice and act upon the principle which he had urged by dealing frankly with the House—taking them into counsel, if he might so speak—when considering the difficulties which beset the subject of India. It was because he was anxious to deal frankly with them that he had delayed the financial statement until he could lay the matter fully before them. It would be easy for him to make a concise statement on Indian finance, while from not having precise information, the House would be obliged to take the matter upon his *ipse dixit*, and he really thought that he was acting more in the spirit of the advice tendered by the hon. Member by postponing his statement until hon. Members were in possession of all the information which he himself had upon the subject. He wished to keep nothing back from them. He had already laid upon the table all the financial despatches, and the only document he was now waiting for was the ordinary annual accounts. These would be on the table on the next Thursday, and when they were printed, and in the possession of hon. Members, he purposed, not only for his own sake, but for the sake of public business, to bring the financial state of India before the House at the earliest possible period. He could assure them that he would not lose a single day after those accounts were before the House. With regard to the question before the House, the number of our troops to be maintained in India, it was not advisable for him to go into the matter at any great length. He should on a future occasion have to bring

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before the House the great subject of the Indian army, and his statement would be more effective if it had not been anticipated by any partial statement. The question of the army was intimately connected with that of finance; and he could assure the House that during the short time which he had held office he had bestowed anxious and daily attention upon the subject of the Indian army, though he had not been able to see his way yet to a satisfactory result. He quite concurred with the noble Lord (Lord Stanley) that it was perfectly impossible at the present moment to fix the amount of the permanent European force in India, and indeed it was not a question which pressed for an early decision. We had now an enormous force which might be reduced, but yet we could not break faith with the men who had fought our battles, and turn them off at the moment we did not require their services. He did not expect that they could arrive at a normal state of things in India for a year or perhaps more. There was a great difference of opinion upon what the force in India should be; but he did not think, after the experience of the last two years, it would be wise to reduce the European force to the low point at which it stood before the rebellion. He quite concurred that the present European force in India might be considerably reduced; and he had a strong opinion in favour of the irregular cavalry force, which possessed advantages in point of expense, and in this, that it afforded employment to the Native gentry. Before he left the Board of Control he had entered into a correspondence with the Marquess of Dalhousie upon the subject of dispensing with the services of the regular Native cavalry. He did not think that it would be wise on that occasion to state more than he had already said.

Motion, by leave, *withdrawn.*

SESSIONS OF PARLIAMENT.

ADDRESS MOVED.

MR. **FORSTER** said, he rose to move—

> "That an humble Address be presented to Her Majesty representing the inconvenience of protracting the Session of Parliament during the summer months, and praying that Her Majesty would be graciously pleased to provide a remedy for such inconvenience by assembling Parliament for the despatch of business before Christmas."

When he brought forward his Motion on a former occasion both the noble Lord (Lord John Russell) and the right hon. Gentleman (Mr. Disraeli) had fully conceded all his arguments in favour of the proposed change, and stated that they would be prepared to give it further consideration on a future occasion. With such great authorities in favour of the early assembling of Parliament, he was at a loss to know by what perverse arrangement it was that they inverted the order of the seasons, and protracted their sittings during the summer months. This system took its date from comparatively modern times, for in former times the Session commenced in autumn and terminated on the Royal birthday. He should prefer to discuss this question rather on grounds of public utility than on those of private convenience; but the House could not fail to see how the efficiency of their proceedings was interwoven with this subject. Calm debate and attention were scarcely to be expected at midnight at this time of year. He would frankly admit that hon. Members ought not to allow any consideration of personal ease or comfort to interfere with the discharge of duties which they had voluntarily undertaken, but yet they had a right to expect that those duties should not be rendered unnecessarily severe by their being exposed to the pestilential atmosphere of the overgrown sewer, in the midst of which they had built their House precisely at that period of the year when its foul abominations had the greatest power. The first sanitary officer of the City, writing on the 11th of June, gave it as his opinion that the state of the river was considerably worse than it had been some weeks previously, and that organic impurity was abounding in it. And it must be expected that each succeeding year, for some time to come, this state of things would grow worse, notwithstanding all the efforts which might be made to the contrary. While it was evident, therefore, that the present system must be most injurious to the health of Members, let them also see how prejudicially the public interests were affected by it. Under ordinary circumstances, at this time of the year, the noble Viscount at the head of the Government, and those who shared his kind and generous feeling, would be engaged in the doleful task known as the massacre of the innocents. Their hearts naturally beat with sympathy for the fate of those measures which had been ushered into existence with every appearance of prosperity, but which were thus cut short never to bloom again—it was natural that compassionate parents should mourn for their measures, and refuse to be comforted because their favourite Bills were not; but they were not the only sufferers. The House could not fail to perceive how much public time was lost, how many valuable interests were retarded, and how much public business was interfered with, through the necessity of getting rid of Bills by this summary process. But even in Bills which escaped the slaughter and arrived at full maturity, they might see the impress of this fatal season in the imperfect and unfinished state in which they left the House, it being perfectly impossible that they could receive that consideration which, under more favourable circumstances, would be their due. The House would remember the protracted debate on the Divorce Bill, when his right hon. Friend the Chancellor of the Exchequer and the learned Attorney General, who now fought under a common banner, had wielded and directed against each other those weapons of debate of which they were such perfect masters. That was a Bill of which, as affecting one of the most sacred functions of life, it was impossible to exaggerate the importance, or the beneficial effects which it was calculated to confer; but the House would remember that the most important provisions of that Bill were hurried over at morning and evening sittings with a feeble amount of energy and power. It could therefore be no wonder that it had failed to a great extent in the purpose for which it was designed, that of relieving Parliament from the number of private divorce Acts of Parliament which were continually introduced, and that, in order to carry out the objects of its promoters, they would be obliged to pass another Act for its amendment. His remarks with regard to that Bill applied to many others. So much of crudeness had the character of their general legislation acquired that it had become a standing reproach that three Acts of amendment were required to bring the original Act into working order, and this was to be attributed to the fact that the House would insist on passing them at a time when careful examination was almost out of the question. But it was objected to his proposal that, practically, it would not tend to shorten the duration of the sittings of Parliament. ["Hear, hear!"] He was prepared for that cheer, and he hoped he should be able to answer it. Reference was also made to the fact, that Sessions which had sometimes commenced in November had yet not terminated before the usual time. But he maintained that the experiment of an autumn Session had never yet been fairly carried out, for whenever such a Session had been held it was always with some special object, such as the passing of a Bill of indemnity, or to decide the fate of a Ministry, and not to enter on the general business of legislation. He submitted that in order to ensure a fair trial to an autumnal Session, to make their financial year commence, as it had formerly done, in January instead of April, and to alter the time for giving notice of private Bills, thus enabling themselves to dispose of the private Bills, and to Vote the Supplies before Christmas, so that the Chancellor of the Exchequer might be enabled, immediately after the reassembling, to make his financial statement, instead of being obliged, as at present, to wait till after Easter. If this arrangement were carried out, they might be able to lay it down as an inflexible rule, that the House would not sit for the despatch of business after the 1st of June. He was prepared for the opposition of Gentlemen constituting what might be called the sporting interest, but while he regretted that he should be doing anything that would interfere with their pursuits, he must say that he thought the first thing that ought to be considered was the engagements and business of the House. But he maintained that he was, in fact, giving more than he asked; all he proposed was, to take six weeks from those hon. Members before Christmas, and in return he proposed to give them the entire of the month of June to spend with their friends before the glorious 12th of August. If he encroached on pheasant shooting in November, he made up for it by allowing them to devote additional time to yachting, a pursuit which was daily growing into greater consequence. The argument, that the present system had been adopted at the time of the Union, for the convenience of the Irish Members could no longer hold good, by reason of the greatly improved postal and passenger communication, which rendered Dublin, for Parliamentary purposes, almost as near as Devonport or Portsmouth. The question which next arose was, as to the time this alteration, assuming it to be desirable, could be most conveniently carried into effect; and he submitted that, whether with regard to the general interests, or to those of the

House, the present was the period at which it could most advantageously be adopted. There were just now some forty election petitions awaiting adjudication, and some of these, it was said, would give rise to a very protracted inquiry. Now, while on the one hand, a constitutional objection existed to the postponement of this inquiry to any very lengthened period, he could not help thinking that with the thermometer ranging between 80° and 90°, with the windows of the Committee rooms exposed to the fearful effluvia of the river, so as to exclude the only opening by which fresh air could be admitted, it would be most inconvenient to enter on such an inquiry, and that it would require all the dread power residing in Mr. Speaker and his officials to keep the election panel together. Lastly, he might remind the House that the great question of Reform had been bequeathed as a legacy to them by the late Parliament, the Sovereign had been committed to the subject in three or four successive speeches from the Throne, and no Ministry, least of all a Liberal Ministry, could afford to trifle with the question. He agreed entirely with the noble Viscount (Viscount Palmerston) in the reasons which had induced him to refrain from taking up that question during the present Session; but it would be accepted by the country as a gratifying proof of earnestness, if, instead of throwing it over to another year, when fresh complications might arise to prevent the fulfilment of that promise, he were to call the House together in November to consider that question, the immediate settlement of which was in every point of view so desirable. The noble Lord would, he thought, be rendering the country as well as individual men great service, if he were now to bring the Session to a close, with a view of assembling again immediately before Christmas, when both the Reform Bill and the election petitions could be carefully and properly considered.

Mr. W. EWART said, that he wished every success to the Motion of his hon. Friend, though he was afraid its chances of success were much diminished from the strong opposition it would have to encounter from the legal as well as the sporting interest. Especially would this be the case from the Court of Chancery, which was often found to be as powerful in Parliament as it more legitimately was in another sphere. His principal reason for supporting the Motion was that it would bring the debates to a close in the month of June; and he thought the hon. Member was entitled to gratitude for making such a proposition. The alteration in the time of their sittings would also be attended with another benefit, that of being able to devote a considerable portion of the day to the business of legislation. He considered that it would be much better for hon. Members to get up early—at six o'clock in the morning if necessary—than to be adjourning their debates very often at a time bordering on that hour. The British Parliament was to blame, he thought, for having allowed the evil habits of the days of Pitt and Fox to continue to the present time, and there was no reason why, when such changes had taken place in every other phase of society, Parliament should be the only body that refused to conform to the more enlightened spirit of the age. He did not know whether the noble Lord at the head of the Government would be the person who would have the merit of inaugurating the new and better order of things, but he felt convinced that a change more in accordance with the feelings and habits of the British people would some day be carried out, and that, whether the present Motion were successful or not, the more thinking portion both of the people and of the Parliament were favourable to its objects.

Mr. BENTINCK said, he did not think this was a Motion on which the House ought to divide without some consideration. Making every allowance for the eloquent speeches to which they had just listened, he must say that he thought the two hon. Gentlemen had mistaken the nature of the question with which they proposed to deal. He did not think they quite understood the evils which they wished to cure. One of the principal evils was those interminable speeches in which the hon. Members indulged. Why did not the hon. Mover and Seconder propose to limit the duration of speeches, more especially of the speeches of the Treasury and Opposition benches? Did they suppose that they could alter the nature of the House of Commons by an Address to the Throne? What occurred every week in the Session? Most important questions, upon which the very existence of the country depended, were discussed in the presence of only thirty or forty Members; but let there be some question which involved no principle and was nothing but a fight for place, and 630 Members would run down to the House and attend debates for nine hours' duration for a month together. Could you, then, by a mere process of this kind change them all at once from politicians into men of business? The whole system of the House was one of procrastination and pottering with every question. Fifty questions were put down in the paper, two were disposed of and the rest were postponed. As long as that system continued no great reduction could be made in the time occupied by the Session. One great evil was the morning sittings on Wednesday, at which a rule prevailed not only repugnant to sound sense, but apparently calculated for the very purpose of shelving unpleasant questions. On that day hon. Members who wished to obstruct any measure talked "by the clock," as it was called—that was to say, they talked until a quarter to six, when the Speaker was obliged by rule to put a stop to the debate, and the measure under discussion was therefore postponed to some other day. He believed that the House would gain 20 per cent in point of time if they had evening instead of morning sittings on Wednesday. The argument against the morning sittings on Wednesday was equally applicable to the proposition that the Session should terminate at a definite period. Nothing could be easier than to continally procrastinate with respect to any disagreeable question until at length the Session terminated. If the whole system of conducting their business were remodelled, they might get through their work perfectly well in four months.

MR. AUGUSTUS SMITH said, that he was inclined to suggest that the House should meet within the first fortnight of January, so as to get really to work by the time they now usually assembled. There ought to be some rule as to the time within which measures should be introduced into Parliament, and the Estimates should be laid before the House soon after it met. He thought that no measure ought to be introduced after Easter, or, at all events, after Whitsuntide. The House of Lords had for some years made a rule to prevent the introduction of measures after a certain date. It was for the Government, and not for the House, to look to this matter.

MR. LIDDELL said, the hon. Member for Walsall (Mr. Forster) proposed by this Motion to make a serious inroad upon English habits. A very large number of the Members of that House sacrificed their private convenience and comfort to an immense extent for public business. They lived in London during a great portion of the year, and during the rest of it they lived among their tenants in the country. If the Motion were acted upon, their present arrangements would be entirely broken up. He should, therefore, steadfastly oppose the Motion.

COLONEL FRENCH said, he would beg leave to remind the hon. Gentleman who had just spoken that the present system was itself an inroad upon English habits. The hon. Member for Walsall therefore simply proposed to revert to ancient English habits. Previously to the time of the Union the Members of that House used always to meet in the autumn, and the change was only then made out of consideration for Irish Members. The modern facilities for travelling rendered that consideration now no longer needful.

LORD CLAUD HAMILTON said, the hon. Mover and Seconder had entirely forgotten to submit any evidence that the adoption of this Motion would limit the action of Parliamentary eloquence, by which the duration of the Session was so much prolonged. Before the Reform Bill the number of hon. Gentlemen who thought it their duty to make speeches to satisfy their constituents was very much smaller than at present. Owing to the greater publicity now given to the discussions in that House, and the increased interest which constituents took in the speeches made by their representatives, a great number of Members who would otherwise wish to be silent were compelled to make speeches. It was perfectly obvious that if the Session should terminate of necessity on the 1st of June, a power would be given to a minority, unless the arrangements of the House were entirely changed, to stop the business of the country, in the same way as on Wednesdays business could be put an end to by debating until six o'clock. Again, if the House sat in November, not the smallest progress would be made before Christmas. He trusted that some Member of the Government would state the views of the Cabinet on the subject, but unless he heard something more practical than he had yet done he should oppose the Motion.

MR. CLAY said, he thought the apprehension that, if a certain period were fixed for the termination of the Session, power would be given to any factious minority to stop the business of the country, was unfounded, because at present it was well known that there was a certain termination to the labours of the Session, and that was when grouse-shooting commenced. For his own part, he was obliged to the hon. Member for bringing forward the Motion, because the sacrifice he grudged most for the service of the country was the sacrifice of the warm and pleasant months. He did not suppose that the Motion would be successful on the present occasion, but he believed that the opinion in favour of it would become stronger.

LORD JOHN RUSSELL: Sir, I doubt whether there is in the House at this moment, or that at the present time of the year there could be obtained, such a full attendance of hon. Members as would be desirable to decide a question, which so much affects the conduct of business in this assembly. I did not, however, understand my hon. Friend the Member for Walsall to make the proposition that a particular day should be fixed at which the business of the country was to be brought to an end. Of course if he had made such a proposition the answer to it would be obvious, namely, that as on Wednesdays, when hon. Members do not like what is going forward, they go on talking until six o'clock, so would they delay the proceedings of the House if they objected to them, until, say the 1st of June, if that particular day should be fixed for the termination of the business of Parliament. I understand my hon. Friend's proposition to be this, that by meeting in autumn we should be enabled to do so much business before Christmas that we need not sit so long in summer as we are accustomed to do. Now, I cannot think that it can be said that such an arrangement would not afford a reasonable time for disposing of the business of Parliament. Whether the six weeks of the commencement of the Session be counted from November to Christmas, or at a much later period, it seems to me that we could do quite as much business in autumn as at any other period of the year. There is this to be said, certainly, in favour of an autumn meeting, we should not see that great desire amongst hon. Members generally of getting to the country, which is manifested when the House is found sitting in the middle of summer. I rather think it is probable that you would have the business more quickly and better done in the winter months than it is generally in the months of July or August. I do not understand that the arguments of my hon. Friend are in any degree affected by what has happened when Parliament met in recent years before Christmas; because, as he very truly observed, it so happened that on the occasions alluded to Parliament had assembled for particular and special business. When it had disposed of that particular business before Christmas the early meeting of the House did not, of course, diminish the quantity of business in February or the following months; therefore it is in my mind no argument at all to say that when they had met before Christmas they were not able to end the Session sooner than usual. As the hon. Member for Norfolk (Mr. Bentinck) properly remarked, there are, however, several other things connected with the conduct of business, which deserve likewise to be seriously considered. I do not think it is sufficient to say that by meeting early in November instead of February we should get at once over the difficulty. In the first place there is a much greater amount of business now for Parliament than in former times. I think it is deserving of our consideration whether we might not be able to facilitate and accelerate the conduct of public business by, in the first instance, submitting certain questions to persons who are conversant with their details, and by getting rid of some forms which were necessary in the times of our ancestors, but which are now quite unnecessary. Some of those forms occasion at present considerable delays. They regard especially the Estimates and Votes in Supply. By the Standing Orders of the House the Crown is debarred from getting Votes of Supply by any sort of surprise, a certain number of days being required to elapse after the meeting of Parliament before the Estimates can be laid on the table, though the Government may be prepared with the Estimates on the first day of the meeting of Parliament. Those arrangements, however, are in consequence of the Orders of the House, and are not the fault of the Government. There are many other instances in which the forms of the House interfere with a great amount of business. That is the main consideration, after all, in determining this question. I believe that the House of Commons goes through four times more business than any other legislative assembly in the world, and it does that business on the whole very effectually. There is, however, very little doubt but that the business of the country might, under different arrangements, be done within a shorter period of time. I cannot vote for the Motion as it at present stands, and I hope my hon. Friend will not press it to a division. There is no doubt a great change in our habits from what they were in former times. For example, Hannah More, when writing at the period of the accession of George III., said, "I have but one fault to find in our excellent young King, his birthday is on the 4th of June;—the consequence is that the people will be kept in London on that day. There will be no going out of town, and Parliament will be protracted as long as the commencement of June." Now that shows what the habits of the people were in that day. I think it almost time to return back to the habits of former days.

VISCOUNT PALMERSTON said, the hon. Gentleman who made the Motion made it with great confidence, not only in the reasonableness of his proposition, but also in the anticipation of its success. The hon. Member who seconded the Motion did not appear, however, to entertain equal confidence. There was one defect in the speech of his hon. Friend who made the Motion—namely, that he could not prove in argument — very ingenious and very amusing as it was—any public ground for the change which he proposed. It did not appear to him that his hon. Friend showed by any argument or any statement of facts that six weeks between November and Christmas was a better period for the transaction of business than any other six weeks in the year, or that the country would obtain any benefit from the change. His whole argument rested on personal considerations; that was to say, that his hon. Friend found it very hot in the month of July, that he knew other friends of his who were like sufferers, that the Thames was disagreeable, that the Session had been interrupted, and that there had been a great loss of time. Appealing to those who objected to the change, the whole force of the appeal appeared to him to rest upon the personal feeling and preferences of those who supported the Motion. He unfortunately differed with his hon. Friend in opinion. He had had the misfortune to be present at several autumn Sessions, and he remembered being made exceedingly ill by the state of the House. It was true that they were very hot in the summer, especially when the summer was as hot as it had been last year and this year. But what was the state of the House in November and December? Why, hardly a man could hear himself speaking for the coughing, not coughing maliciously to interrupt a Member, but a mere effort of nature in consequence of physical affections produced by the fog, cold, snow, and the inclemency of the weather. You asked a certain Member to support a Motion, and you were told that he was confined to his bed by a severe fit of bronchitis or influenza caught by walking home the night before and geting wet to the skin from the disagreeableness of the season. Members came down wet and were obliged to sit in wet clothes. There were draughts of cold air, and they looked to the windows and complained of improper ventilation, which gave them cold. Taking the question simply on the physical ground, at which period of the year were hon. Members least likely to be rendered incapable of performing their duties by the state of atmospheric influences? But independent of these objections his opinion was that the early period of winter was much more unfavourable than the ordinary fine weather they were apt to have in the summer; and really it was paying too high compliment to the climate of this country to assume that the heat of the weather would ever interfere with the senatorial duties of hon. Members. He did not see, therefore, that there was any argument showing that the public interests would be better consulted by Parliament meeting in the end of November, instead of the end of January or beginning of February. The hon. Member himself had stated that the change proposed would involve considerable changes in other matters. The regulations as to the time when notices must be given of private Bills would have to be altered. The period of commencing the financial year must be altered, and these changes would necessarily produce considerable derangement. Of course, when once those changes were made there would be an end of the inconvenience; but as far as he had heard the subject discussed he had not heard any sufficient reason assigned for those changes. There were other considerations of another sort. It was said that Members thought of nothing but pheasant-shooting, hunting, and that sort of thing? but the fact was that in that and in the other House of Parliament there were many noble and hon. Members who had important functions in the country to perform. The public ought not to run away with the notion that all the Members of the Legislature were nothing but selfish men, having no other object of pursuit than their own personal amusement. There were many who had great duties to perform in the country—hospitalities to exhibit, charities to administer, and functies and obligations to discharge, bonds which united class with class, the landlord with his tenant and labourers, which were of great importance to the well-being of the community to which they all belonged. The period at which those functions were called into operation more than at any other was the winter. That was just the time when the more wealthy had the means of showing kindness to those below them, and he should be very sorry if any unnecesary arrangement by Parliament interfered between the landlords and those who were dependent on them to prevent their mixing together at a period of the year when it was the custom of the rich to diffuse around them the advantages which their wealth enabled them to impart. There was one particular in which the public interest would be injured by the arrangement of his hon. Friends. Nothing, in his opinion, was less conducive to the satisfactory performance of any sort of business, whether by an aggregate assembly or by an individual, than interposing a great break in that business. When once a man began he should go on. When the human mind got into a particular course of action, as long as the energies were kept directed to the object in view there was every probability that it would accomplish it well; but if the mind were called off from its begun course, and a long interval allowed to elapse, other thoughts would interpose, and before the original train of thought could be resumed there would be inconvenience and loss of time. If Parliament met in November it must adjourn over Christmas. For how long? A month at least—probably six weeks. [An hon. MEMBER: A fortnight.] There were country occupations, Quarter Sessions, and so forth, which would make it extremely inconvenient to adjourn for less than a month. They would not come back to work in the train of mind in which they left, and there would be a loss of time. It was said there was no reason why Irish Members should object, because now communication was not as in the time of Dr. Dagenham, who took a week to ride his hack from Holyhead to London, and a person could sleep one night in Dublin and the next in London. But Irish Members would not like to come over for a month's Session before Christmas, leaving their families in Ireland, and they would not think it worth while to bring them over, and take them back again to bring them over again. The same consideration applied also to Scotch and English Members, because hon. Gentlemen coming up for a short time before Christmas, with the expectation of going back, would not bring their families with them, and those separations would in many cases be exceedingly inconvenient to the person concerned. It appeared to him that they would gain nothing in point of despatch of the public business. The examples of the past were not encouraging for the future. It was very true that on many occasions Parliament had met early in consequence of some specific business to be done; but there were a great number of cases since the Union where Parliament had met early and sat as late as it would if it had not met until January. Parliament met on the 29th of November, 1802, and it went on sitting until the 12th of August, 1803. It met on the 22nd of November, 1803, and sat until the 31st of July, 1804. It met on the 30th of November, 1812, and sat until the 22nd of July, 1813. It met on the 4th of November, 1813, and sat until the 30th of July, 1814. It met on the 8th of November, 1814, and sat until the 12th of July, 1815. It met on the 21st of November, 1826, and sat until the 2nd of July, 1827. It met on the 6th of December, 1831, and sat until the 16th of August, 1832. It met on the 20th of November, 1837, and sat until the 16th of August, 1838. It met on the 23rd of November, 1847, and sat until the 5th of September, 1848. It met on the 11th of November, 1852, and sat until the 20th of August, 1853. It met on the 12th of December, 1854, and sat until the 12th of August, 1855. It met on the 3rd of December, 1857, and sat until the 2nd of August, 1858. These numerous instances showed practically that when Parliament had met before Christmas it sat just as late in the summer as it possibly could have done if it had met after Christmas. But his hon. Friend had touched the real point on which the whole thing turned. They might say what they pleased as to Parliament giving the tone to the manners and habits of the country, but it was the manners and habits of the country which influenced Parliament. Whether right or wrong, the habits and manners of the country had changed since the last century, when Parliament met earlier. All things were later. The hours of dinner were later. Perhaps people did not get up as early. But Parliament could not force them to rise early. They could not make a law that people should get up at six o'clock in the morning, and should go to bed at ten at night. They must adapt the proceedings of the House to the habits of the time. Morning sittings might be for the convenience of hon. Members, but if the House met every day at twelve, and went on meeting at twelve through the whole Session, it would be impossible for the departmental work of the Government to be carried on. He could assure the House from a long experience that it would be very inconvenient if hon. Members of that House connected with the different departments were to be sitting there all the morning, instead of attending to their official duties and transacting the business for which they were responsible. Parliament must adapt their proceedings to the habits of the times, and although an attempt forcibly to change the habits of the nation, and to induce them to revert to those of their forefathers a century ago, might be made by a despotic Government, it must be unsuccessful in a country in which no one would submit to be controlled in the daily arrangements of his occupation, whether public or private. He believed that something might be done in the manner suggested by his noble Friend the Member for London. The chief grievance after all complained of by his hon. Friend (Mr. Forster) was the great amount of business to be disposed of, and the short time allowed for its transaction. Certainly Parliament was now required to do much more business than it had to deal with in the last century. A much larger amount of private business was now brought before Parliament; private Members introduced many more measures for discussion, and the Government proposed many more measures for legislation. Frequent and prolonged discussions took place in Parliament upon questions of public interest, and if there was a large amount of business, private or public, to be dealt with, time must be given for its transaction. He thought the suggestions of his noble Friend deserved the serious attention of the House, and he was sure they would receive the best assistance and counsel from the Speaker with the view to the adoption of such measures as, without detriment to the public interests, might accelerate their proceedings. He hoped, however, that the House would not hastily adopt proposals founded upon merely temporary circumstances, for every summer might not be so hot as the present, the Thames might not always stink as it did now, and future Sessions might not be interrupted by dissolutions which necessarily delayed the progress of Parliamentary business.

MR. FORSTER said, he wished to express his readiness to withdraw the Motion. [*Cries of* "No, no!" and "Divide!"

Motion made, and Question put,—

"That an humble Address be presented to Her Majesty, representing the inconvenience of protracting the Session of Parliament during the Summer months, and praying that Her Majesty would be graciously pleased to provide a remedy for such inconvenience by assembling Parliament for the despatch of business before Christmas."

The House *divided* :—Ayes 48; Noes 121: Majority 73.

THE QUEEN'S PRINTERS' PATENT.

COMMITTEE MOVED FOR.

MR. BAINES said, he rose to move for a Select Committee to inquire into the Queen's Printers' patent in respect to the printing of the Holy Scriptures. The matter to which he asked the attention of the House was one of urgency, inasmuch as the letters patent of the Queen's Printers would expire from the lapse of time on the 21st of January next. If, therefore, Parliament was to express any opinion at all on the subject, it must do so during the present Session. These letters patent related to the printing of the Holy Bible, the Book of Common Prayer, the Statutes enacted by the Legislature, and several other works; but on that occasion it was his intention to confine himself to the provisions they contained, restricting to the Queen's Printers the right of printing the Scriptures. Notwithstanding this restriction, however, the Universities of Oxford and Cambridge possessed by law a licence to print and publish the Bible. He need not say that the Book to which his Motion referred demanded their utmost reverence and regard; nor that the authorized version of it, which he did not seek to alter, was one of the noblest monuments of the Anglo-Saxon tongue. The printing of the Bible had been made the subject of patents in all the three great divisions of the United Kingdom. The Irish patent, however, was in 1794 declared to be invalid by a decision of Lord Clare, then Lord Chancellor, who in delivering judgment was reported to have said,

"I can conceive that the King, as the head of the Church, may say there shall be but one man who shall print Bibles and Books of Common Prayer for the use of churches and other particular purposes, and that none other shall be deemed correct books for such purposes; but I cannot conceive the King has a prerogative to grant the monopoly of Bibles for the instruction of mankind in revealed religion: if he had, it would be in the power of the patentee to put what price he pleased on the book, and thus prevent the instruction of men in the Christian religion; the patent could not mean to give an exclusive right to the printing of Bibles."

The Scottish patent was also put an end to by the Crown, in compliance with the recommendations of a Select Committee of that House which sat in 1837 and 1838. That Committee was moved for by the then Lord Advocate Murray, and the Resolution to which he now asked the assent of the House was, *mutatis mutandis*, couched in the very terms of the Lord Advocate's Motion. The Committee in their report stated as follows:—

> "That it appears by the evidence given before the Committee in 1837, and also from the Reports of previous Committees, that the prices of Bibles and Testaments, of which Her Majesty's Printers have thus had the sole monopoly in Scotland, have been increased by that monopoly to a considerable amount, so as to interfere with the free distribution of the Scriptures, and that obstacles have been thrown in the way of devout persons obtaining such copies of the Sacred Volume as they wished to possess.
>
> "That in the opinion of this Committee the Queen's Printers' patent in Scotland should not be renewed, and that the people of Scotland should have the advantage of the competition which the free introduction of Bibles and Testaments from the press of the Universities of Oxford and Cambridge, and from Her Majesty's printers in England and Ireland, will afford."

The Scottish patent was accordingly abolished; but at the same time a Bible Board, consisting of both lay and clerical members, was established there to superintend the printing of the Bible, and all printers were required to give a security of £500 for the accuracy of their editions of the sacred text. The only remaining patent of this kind extended to England and Wales, and it would soon expire. These patents had been repeatedly condemned by the highest authorities. Lord Coke said emphatically that they were opposed to the laws and liberty of England; and by an Act of James I. they were expressly condemned. The scope of the English patent was so large that the patentees had not ventured to put the whole of it in force. It gave them the monopoly of printing editions whether with or without note or comment, but they had abandoned that right, and confined themselves to the authorized version alone, without notes. The free dissemination of the Scriptures was one of the plainest and most precious elements of religious liberty; and it was unnecessary to prove that competition was one of the best guarantees for cheapness and excellence. The Bible, it was true, was at present printed cheaply and well; but this was the result not of monopoly, but of freedom; for the abolition of the Scottish patent had had the effect of bringing down the prices in England, and had led to a wider diffusion of the sacred volume. In consequence of the abolition of the patent the price of the Bible in Scotland had been reduced by more than a half, while the number printed had been increased threefold. The following was an extract from the Report of the Scotch Bible Board in 1840, the year after the abolition of the patent:—

> "Among the advantages arising from the abolition of a monopoly in printing, a prominent place must be given to the reduction of price in the various works that were formerly to be procured only from one patentee. The sum already saved to the public in this manner is very considerable, and as this saving becomes available chiefly to the middle and lower classes of society, is a matter of infinite importance, and to Bible societies, by which they are enabled to circulate the Scriptures to a greater extent among those who, though most needing them, would otherwise have been altogether deprived of their instruction and consolations, the money that is saved must be considered as having a value far beyond its nominal amount."

In November, 1840, the old prices were still maintained in England, but in February, 1841, the Queen's Printers in England published a catalogue, in which they brought down their prices by more than a half. This example was followed by the Universities of Oxford and Cambridge, and from that time dated a great increase in the circulation of the Scriptures. There were several causes for the Bible being cheaper than any other book. The first was the drawback of the paper duty; the second, the vast demand for the Scriptures; the third consisted in the fact that all the editions were sold off without leaving a single copy behind; and the fourth, that the types were kept standing. In 1804 the British and Foreign Bible Society computed that there were at that time about 4,000,000 copies of the Bible in existence in all the countries of the world; but in the half century which had since elapsed the Bible Society alone had caused to be circulated in England and abroad no fewer than 40,000,000 copies, or ten times the whole number supposed to exist in the world prior to 1804. That could not have been done without the reduction of price effected by the abolition of the patent in Scotland; as might be inferred from the fact that the number of Bibles and Testaments issued by the Bible Society in England was only 369,764 in the year 1838, whilst it was 727,830 in 1843, and 1,104,787 in 1846. He was sure that the Home Secretary was too much of a logician and economist to adduce the fruits of freedom in defence of monopoly, or to state that the fact of the cheapness of the Bible was a reason against the abolition of the only remaining monopoly that existed in England. But the right hon. Gentleman might plead that accuracy was promoted by restricting the printing of the Bible to a few hands. Accuracy, however, was not attained by that means, but was the result of the public vigilance and other causes. Serious errors had crept into the Scriptures under the existing monopoly. Thus it was stated before Mr. Hume's Committee that a Gentleman took the trouble to go over an Oxford edition of the Bible, and he found 12,000 errors in it, and he sent a statement of the fact to the Archbishop of Canterbury, who sent him a £10 note in his letter in reply to his communication. A mistake made by a former Queen's printer was the omission of the word "not" in one of the Ten Commandments, entirely reversing its meaning; and another was the introduction of a "not" in one of the promises of the New Testament, by which it was said that the righteous should not enter into the Kingdom of Heaven. There were several things upon which they might confidently rely for the accuracy of the Sacred Text under the most perfect freedom of printing. In the first place was the interest of the printers, who would lose the outlay on a whole edition if it was proved to be inaccurate: secondly they could rely on the knowledge of booksellers, who knew whether a particular edition was accurate or not; thirdly, on the advantages possessed by the present patentees, and the two Universities, whose continued circulation of vast numbers of the Scriptures would be a guarantee that no inferior production was palmed on the public; fourthly, a guarantee for accuracy would be found in the vigilance exercised over every version of the Scriptures by every section of the Christian Church. Then there was the operation of the great religious societies, like the Bible Society, and the Society for Promoting Christian Knowledge. Then there was also the vast number of Sunday Schools, not less than 30,000, in which the authorized version was used and its accuracy guarded. And, lastly, there was the jealousy for truth which existed in every private Christian in the land. These were the natural and best guarantees for the accuracy with which the Sacred Text would be printed in future; and having confidence in them he did not believe it was in the slightest degree necessary to establish in England any such clumsy expedient as the Bible Board in Scotland. It would be difficult to constitute a Board with perfect impartiality, and it must be impartial if it was to command general confidence. There were unauthorized versions of the Scriptures already published, such as the translation from the Latin Vulgate of the Roman Catholics, and that which was called the "improved version" of the Unitarians; and there were some in verse. He asked the House, lastly, to consider whether it had itself any right or prerogative to restrict the printing of the Holy Scriptures? Let it produce its own patent for the exercise of such an authority. He knew no sign-manual of any earthly potentate which could give validity to such an instrument. The Holy Scriptures were given in charge to no particular section of the Church, to no priest, to no prince, to no sanhedrim or senate, neither to Jew nor to Gentile, but liberally and impartially as the rains and dews of Heaven. They were made the universal patrimony of mankind. He appealed to the House, as they had given freedom to trade and industry and to the negro slave, removed every restriction from conscience, and maintained the liberty of the press, to bestow upon England the crowning blessing of a free and unlicensed Bible. The hon. Member concluded by moving for a Select Committee to inquire into the nature and extent of the Queen's Printers' Patent for England and Wales so far as relates to the right of printing the Holy Scriptures, and to report their opinion as to the propriety of any future grant of that Patent.

Mr. CROSSLEY seconded the Motion.

Sir GEORGE LEWIS:—Sir, I came down to the House prepared to agree to the Motion of the hon. Gentleman for a Committee to inquire into the expediency of continuing the system under which the Bible is at present printed in England, and therefore I was not prepared either to discuss the question at any length, or to express a confident opinion on the subject, inasmuch as I wish to keep my mind open for the consideration of any evidence which may be taken by this Committee, and of any arguments that may be adduced in their report. Having heard the address of the hon. Gentleman, however, I cannot refrain from making a few remarks upon some of the points to which he has referred. He concluded his speech by an impassioned appeal to the House to sanction the free and unlicensed printing of the Bible, and to establish a system of religious liberty in that respect. Now, I cannot at all accede to the doctrine that any change of system which can be introduced would be attended with the important and wholesome effects anticipated by the hon. Gentleman, or that any great practical benefit would arise from such a change. It is true, as Lord Coke says, that the law of England condemns monopolies, and that the presumption is always against them. But in discussing this particular question there are certain difficulties which require the consideration of the House. In the first place, there are the difficulties which might stand in the way of entire freedom; and in the next place we have to consider whether, under the existing system, we do not practically enjoy the advantages of free competition. We must remember at starting that this monopoly is at present practically confined to the authorized version of the Holy Scripures and to the copy of the Prayer Book which is fixed by Act of Parliament, and of which there is an authentic original. There is nothing to prevent a person from printing the Hebrew version of the Old or the Greek of the New Testament; there is nothing to prevent a person from printing any new version of either of those portions of the Holy Scriptures. The monopoly, as at present exercised, is exclusively confined to the authorized version, and it does not even extend to the printing of the authorized version with notes. Now, in this country the publication of the statutes is restricted, and I believe it is a principle generally accepted that the authorized version of the Bible ought not to be printed without some public authentication. This principle has been acted upon here by means of the patent of the Queen's Printers and the privilege granted to the two Universities, while in Scotland it has been carried out through the medium of the Bible Board. That Board produces just as great an interference with the liberty of printing the Holy Scriptures as exists here, because in Scotland no person can publish them without the consent of the Bible Board, and if any serious errors are found in any of the sheets the whole edition is suppressed. In Ireland there is no printing of the Bible, although there is a patent to the Queen's Printer. I say, then, that the work of authentication is carried out in England by one system, in Scotland by another, the former costing nothing, while the latter requires an annual vote for its maintenance. Of course, if the House think the principle of authentication unnecessary they may throw open the printing of the authorized version, which will then be on the same footing as the text of Shakspeare and Milton, or any other work in the language. As to the right of free printing, although the authority of Lord Coke is quoted in support of that proposition, my hon. Friend will find in the second volume of Blackstone that the right of the Crown to control the printing of the authorized version of the Scriptures is distinctly laid down. That right has been affirmed by repeated judgments of courts of law and equity, and I believe there is no more doubt of its legality than there is of any other right which can be suggested. But then there is the question of cheapness. My hon. Friend has referred to the effect of abolishing monopoly in Scotland. I am not prepared to assent to or dissent from the statement he has made on this subject; all I can say is that, as I am informed, the cheapness of the Bible in England is not at all dependent on the competition which exists in Scotland, that the number of Bibles printed in Scotland is small, and that Scotland itself is to a great extent supplied with Bibles printed in England. Their cheapness is, indeed, extraordinary, and cannot, I conceive, be exceeded. I believe you can buy a Bible in sheets for 5*d.* or 6*d.*, and bound for 9*d.*, while a Testament costs considerably less. The price amounts to but little more than the cost of the paper and ink consumed in printing. That cheapness, as I am assured, is produced not by the competition of the Scotch printers, but by the very active rivalry which exists between the Queen's Printers and the two Universities. I have communicated with the Bible Society and some of the religious societies which circulate large numbers of the Holy Scriptures, and they assure me that they are perfectly satisfied both with the accuracy and with the cheapness of the Bible as now produced by the presses of this country, and that they have no desire to see any change of system. The hon. Gentleman talks of one edition of the Bible in which 12,000 errors were pointed out. I am of course bound to accept that assertion, but I can only say that that statement differs very widely from information which I have received as to the accuracy at present existing. I was told by an officer of one of the great religious societies that, having been apprized of an edition of the Bible in which one word was printed with an error of one letter—I think "saw" was printed "say"—they required that a large part of an edition, consisting of 10,000 or 15,000 copies, should be cancelled. Now, everybody knows that in ordinary printing such an error would be thought wholly insignificant, and it is my belief that the accuracy required is almost unnecessarily strict, because it is carried beyond the point at which errors could lead to any practical inconvenience. Although, therefore, I am not at all prepared to defend monopoly where freedom of printing can be introduced, my information does not lead me to expect that if the patent of the Queen's Printers were allowed to expire, and the privileges of the two Universities abolished, the editions of the Bible would be either more accurate or less expensive than at present. At the same time, I am quite prepared to assent to the Motion for inquiry by a Select Committee, and to form no decided opinion until I receive the report of that Committee.

MR. BLACK said, there was now no real restriction against printing the Bible in Scotland, and the only thing necessary to do was that the printer should give security to the Bible Board that the edition to be printed should be accurate. He should support the Motion.

MR. CROSSLEY said, he wished it to be distinctly understood that, as the patent would expire in January next, and as the Committee would not be able to report this Session, the patent ought not to be renewed until after the Committee had reported. No person could print the Bible without infringing the patent, for the words were, that "all and singular Bibles and New Testaments in the English tongue, or any other tongue, or any translation thereof, with or without notes," &c., should not be printed by persons other than the patentees; and, therefore, the statement of the right hon. Baronet the Secretary for the Home Department was not quite accurate.

MR. DUNLOP said, Bibles were printed by licence in Scotland, and were prohibited from being brought into England; and he wished to know whether this useless prohibition was to be kept up in future. It appeared only just that Bibles printed in Scotland should be allowed to be imported into England, while those printed in England were taken to Scotland.

MR. HADFIELD said, the Committee could not report this Session, and it ought to be insisted on by the House that no new patent should be granted until the report was received.

Motion *agreed to.*

Select Committee *appointed* :—

"To inquire into the nature and extent of the Queen's Printers' Patent for England and Wales, so far as relates to the right of printing the Holy Scriptures ; and to report their opinion as to the propriety of any future grant of that patent."

MINISTERS OF THE CROWN.

RETURNS MOVED FOR.

MR. VINCENT SCULLY moved for an address for a return in chronological order of all Ministers of the Crown appointed since the Act of Union of 1800, with the dates of their respective acceptances of, and retirements from, office, distinguishing Cabinet Ministers from those not of the Cabinet. And a similar return of all persons appointed to the office of Lord Lieutenant of Ireland, Chief Secretary for Ireland, and Lord Chancellor of Ireland, during the like period. He had been asked by several persons his object in moving for this return. It would certainly be a useful historical record, but that was not the purpose for which he moved its production. It would be valuable in enabling the public to ascertain of what elements Cabinets had been constructed for the last sixty years, and to what extent the purely aristocratic had predominated. From it would be found how very few Ministers of the Crown there had been who had not belonged to the aristocracy ; how few Peels or Cannings, Gladstones or Disraelis, and, still more how few Cobdens or Brights. These, however, were not the objects he had in view. One of his objects was to ascertain how many Irishmen had been admitted into the Cabinet since the Act of Union. When the return was in their hands he believed it would be found that an Irish Cabinet Minister was like the black swan, angelically scarce; in the present Cabinet there was not one genuine Irishman, though there was a titular Irishman. There might have been about half a dozen Irishmen in the Cabinet since the Union, including the Duke of Wellington, Lord Castlereagh, Lord Monteagle, and two or three others. Latterly, however, Irishmen had been excluded altogether. Another object he had in view was to ascertain how many Catholics had been admitted into the Cabinet since the passing of the Emancipation Act. The other night the hon. Member for North Warwickshire (Mr. Newdegate) appeared to be alarmed lest a Roman Catholic should be allowed to hold the office of Lord Chancellor of Ireland. He assured the hon. Gentleman that his apprehensions would prove groundless. He (Mr. Scully) believed that for thirty years past there had not been a Roman Catholic Cabinet Minister. The two ideas seemed "wide as the poles asunder." Mr. More O'Ferrall was a Catholic; so also was Mr. Sheil; but, though both of them were Members of the Government of the day, they were not in the Cabinet. Mr. Sheil was admitted as an outsider; but he supposed that Mr. Sheil was considered to be a man of inferior character and ability, for he was not admitted into the Cabinet. Should opposition be offered to his Motion, he could quote precedents in support of it. For instance, during many years no Irishman was allowed to occupy a seat on the judicial bench in India. A return proving that fact was asked for and obtained; and the result had been that one Irishman—namely, Sir Matthew Sausse, a very distinguished man, had been raised to the judicial bench in Bombay. That was a circumstance not forgotten in Ireland. He might be mistaken, but he considered this was the most important Motion that could be brought forward in connection with Ireland because so long as Irishmen were excluded from the Cabinet, it was impossible that measures of a satisfactory character could be brought forward for that country, by Members of a Cabinet not identified with Ireland. How could they expect that Ireland would be properly legislated for when she was not represented at all in Imperial Councils. [An Hon. Member: Yes; by the Chief Secretary for Ireland!] The Chief Secretary for Ireland (Mr. Cardwell) was an estimable man, but he knew less about Ireland than he (Mr. Scully) knew about England, and he was not so fit for his office as he (Mr. Scully) was for the office of Home Secretary. He had another precedent for his Motion in one made some years since by the present Attorney General for Ireland, for a return of the number of persons in each class of the Irish constabulary force, distinguishing how many were Roman Catholics together with the number of Roman Catholics appointed to the force, and promoted. The Irish people—the Irish Members—the Irish peers, were of greater importance than the Irish constabulary—and he considered it was right the people of Ireland should obtain the information he asked for. During the late elections he read several of the addresses put forth in Ireland, and he found in them the statement that all the great sections of the Liberal party were represented in the present Government; but he denied it, because the Irish section of the Liberal party had been overlooked. He did not pretend to know anything about the mode in which Governments were made up, but let any Member fancy himself to be Prime Minister, and then he would have some idea how he would set about it. He could imagine how the noble Viscount (Viscount Palmerston) at the head of the Government would set about forming his Cabinet. He believed he was, in point of sagacity, six months in advance of all his colleagues. The noble Lord was not a Radical, nor a Whig, nor a Peelite, nor one of the Derby-dilly. He would probably begin with saying to himself that he must have a certain number of old Whigs, for there was no doing without them; then he must have some of those Scotch, for it was impossible to keep them out altogether; and he would next look out for four or five Peelites—a body of Gentlemen for whom he (Mr. Scully) had a very sincere respect. Though the noble Lord did not belong to the Derby-dilly, he might be described as a great omnibus proprietor. He had got some fourteen Gentlemen to occupy his vehicle; he had, in short, his full complement inside, but he seemed to have resolved that among them he would have none of those Irish. Perhaps he thought to himself that if he did they would disturb the whole party; and he would then say, "I shall put them on the roof. I shall put them where they can do no mischief in the streets, and will get a view of the country. As to putting them inside, that is out of the question. I'll then take the dickey and drive the omnibus where I please." He could imagine the noble Lord going on to commune with himself thus: "Now that I have got my omnibus full I must look out for some one to assist me, who will see what is going on when I am otherwise engaged,—one of smooth and conciliatory manners, who can act as cad. I know of a nice Gentleman, a Manchester man (Mr. Milner Gibson) who will act exceedingly well as cad, though he upset my coach on a former occasion with the help of some of his friends. As for having an Irishman, I will do the Irishman myself: and I will do him in more senses than one. Am I not as witty as any Irishman? Have I not an Irish title and Irish property, with great ability, affability, amiability, sociability, and every other ability belonging to the best specimens of Irishmen?" But the long and the short of it was, the noble Lord excluded all Irishmen from the Cabinet, and from any share in the Government of the country. Some of the most able Irishmen were occasionally admitted into minor places, outside the political omnibus, but the practical effect was to deprive the country of their services, by closing their lips upon all public questions. He could quote not a few examples of the effect produced in this way upon English and Scotch Members. The late Member for Dover (Mr. Bernal Osborne) was an able man, but after he went into the Government his abilities were lost to the country; and the noble Lord the Member for Forfarshire (Viscount Duncan), though very silent when in office, now that he was out of it might be heard in that House every night. The results of the present system had been that while there used to be seventy-five Liberal Members from Ireland there were now only thirty Members occupying seats on the Liberal side of the House; and that, apart from the hope of bar promotion, no Irishman of ability had any object, either public or personal, to attain by coming into Parliament. He contended that neither the spirit of the Union, nor of the Emancipation Act had been carried out, but had been allowed to remain a dead letter. The Lord Lieutenant of Ireland, the Chief Secretary for Ireland, the Under Secretary for Ireland, the Commander-in-Chief of the Forces in Ireland, the head of the constabulary in Ireland, and the head of the administration of the Poor Laws in Ireland, were at this time all Englishmen. It had been said no Irishmen of ability came to that House; but if so, the reason was obvious, because if they did they would only lose their time. Irishmen had shown equal ability with Englishmen at college, at the bar, and in the army, at home and abroad, and Mr. Justice Byles, in his "Sophisms of Free Trade," said, "there was no better head than a disciplined Irish one." No one felt less sectarianism than he did; personally he cared nothing for the exclusion he had referred to, but he had felt it his duty to bring it before the House. It had had the practical effect of rendering many Irishmen indifferent to the liberal cause. Formerly five-sevenths of the Irish Members sat on the Liberal side, and only two-sevenths on the Tory side in that House. Now those numbers were exactly reversed. What inducement had an Irishman of position and ability to lose his time in that House? He had laid sufficient ground for moving for this return, and would on future occasions enter more fully into the matter.

MR. M'CANN seconded the Motion.

LORD CLAUD HAMILTON said, he rose to express a hope that the Government would not accede to the Motion for this return, because all the information which the hon. Gentleman desired was to be found in the library. With regard to the period since 1806, much fuller information than he sought was given in *Thom's Almanack*, of which there were two copies in the library, and, unless the hon. Member wanted the pages turned down for him, or the passages read out, he did not know what he could gain by this Motion. The oration of the hon. Mover was evidently directed to one object—that of putting himself forward as a fit and proper person to be silenced by an appointment to some office, and of this he had endeavoured to persuade the House in a "few observations," the utterance of which had occupied something more than three-quarters of an hour. Nothing could be more invidious than to print a return such as that moved for, stating that such a Minister came from this country and another from that—that this Minister was of one religion and that Minister of the other, and he hoped the Government would oppose the Motion. The hon. Member for Walsall (Mr. Foster) in the earlier part of the evening had thrown out several hints for shortening the Session, but how was it possible to do so if such discursive discussions were allowed to be carried on. The hon. Gentleman complained that it was of no use Irish gentlemen coming into that House; but the proper way for Irish Members to become useful was by making themselves thoroughly masters of all that related to Irish interests, and always confining themselves strictly to the matter in hand.

Mr. M'CANN said, the noble Lord had proved that he, as an Irishman, was perfectly satisfied to take an outside place on the Derby-dilly.

Sir GEORGE LEWIS said, there were generally two motives in moving for returns of this sort. Either it was to obtain some information of which the House was not in possession—but that could not be the motive in this case, since there were already books of reference which gave all the information the hon. Gentleman desired in fuller detail and from an earlier date than he asked, so that it was just as easy to find out any of the facts which he wished embodied in a return as it was to turn up a word in *Johnson's Dictionary;* or the motive might be to bring before the House in an authentic form some information which was not before them authentically ; but that description would scarcely apply to this case, since the House of Commons was not like a court of justice, which only took notice of the facts proved before it. If any hon. Gentleman in debate referred to the fact that such and such a statesman held a certain office at a certain time the House would receive the statement as correct, without requiring to have it proved by legal evidence. The two ordinary motives for granting returns did not, therefore, apply in the present case. To the wording also of the Motion he had several objections. The hon. Gentleman asked for a list of Ministers of the Crown; but it was not very clear what was meant by that. Did he intend, for instance, to include the Officers of the Household, or the Under Secretaries of State? It would be necessary, if the Motion were agreed to, that some more precise language should be used in it. Again, there was another point which had been lost sight of. The hon. Gentleman required Cabinet Ministers to be distinguished from others ; but it was well known that the Cabinet was not recognized by the constitution of this country; the House of Commons had never recognized the existence of such a council in any of its authentic acts—it was merely a voluntary meeting of certain Ministers, and the archives of the country contained no means of distinguishing between a Cabinet Minister and any other. If these objections were removed, he was not aware of any others which he had to urge against the Motion, except the unnecessary labour which it would impose on the clerks of the public departments, and the expense thrown on the country of printing an unnecessary return. To listen to the hon. Gentleman's speech, it might be imagined that his object was to prove that his countrymen had not filled a distinguished place in the Parliamentary and official annals of this country, but he had always understood that the very contrary was the fact. Burke and Sheridan were two of the brightest ornaments of the House of Commons. Lord Wellesley and the Duke of Wellington were two of the most distinguished public servants this country had ever possessed. At one and the same time the Ministerial party and the Opposition party in that House were led by Irishmen—Lord Castlereagh and Mr. Ponsonby ; and others, Mr. Vesey Fitzgerald, Mr. Tierney, and Mr. Spring Rice had been prominent Cabinet Ministers. These names were sufficient to prove that Irishmen had distinguished themselves both in official and Parliamentary life. If it were the wish of the House that the return should be made, he would not oppose it, but he could not see that it would be of the slightest use.

Mr. VINCENT SCULLY, in reply, said, he should take no notice of the observations made upon him by the noble Lord opposite, but if he spoke of him in the same tone a second time he should probably reply by expressions which the noble Lord would not like to have applied to him. He had not been able to find in any book or work the information he required ; but it was not denied that since the Emancipation Act was passed no Roman Catholic, he believed, had been appointed a member of the Cabinet. The Home Secretary had said nothing upon that point. He (Mr. Scully) wanted the return to show whether it was true that no Roman Catholic had been so appointed. He should not, however, trouble the House to divide upon the present Motion, but should renew the subject on future occasions.

Motion made, and Question,—

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, a Return, in chronological order, of all Ministers of the Crown appointed since the Act of Union in 1800, with the dates of their respective acceptances of, and retirements from, office ; distinguishing Cabinet Ministers from those not in the Cabinet.

"And, similar Return of all persons appointed to the office of Lord Lieutenant of Ireland, Chief Secretary for Ireland, and Lord High Chancellor of Ireland, during the like period,"

put, and *negatived.*

BARRISTERS (IRELAND) BILL.

LEAVE. FIRST READING.

MR. M'MAHON said, he rose to move for leave to introduce a Bill to amend certain laws and statutes relating to the admission of barristers and solicitors to practise in Ireland. The Bill merely contained two clauses, and its objects were two-fold, one of them being to repeal a statute of Henry VIII., which rendered it necessary for students going to the bar in Ireland to attend a certain number of terms in one of the Inns of Court in England. Some of the most eminent lawyers in Ireland were in favour of that repeal. Another object of the Bill was to enable the benchers of King's Inn, Dublin, to admit students to the Irish bar on the same terms as students were admitted to the English bar. For the last twenty years the benchers in England had admitted students to the bar in three years, whether they were graduates or not; but in Ireland a student could not be called to the bar in less than five years after his name had been entered in the books unless he was a graduate of a university. The hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

MR. BRADY seconded the Motion.

MR. WHITESIDE said, he thought the House ought to understand well what was the object which the hon. and learned Gentleman aimed at. He had a very great objection to the last part of the measure. By an Act of Parliament, which he thought was a wise one, it was enacted that gentlemen who had obtained a degree in a university might be admitted to the Irish bar three years after they had been entered as law students at King's Inn; and that those who had not graduated should not be admitted until at the expiration of five years from their entrance. That provision had a beneficial effect in inducing men of education to join the profession, and the effect of granting the concession sought by this Bill would of necessity be to increase largely the ranks of the profession in Ireland. He had not heard that any scarcity of barristers existed, on the contrary, he had been under the impression that the profession was very fully stocked already. Education in former days was of the very highest order. Fortescue, who wrote on the praises of the laws of England, expressed in two lines the reason why our forefathers thought a good education was useful. He said it was "that they may have a greater regard for their character than those who are bred in another way." Notwithstanding the opinions which had been referred to, he did not believe that the change would be desirable, and in any event it would be time enough to make it when complaints had arisen in consequence of the present system. This change had not been asked for at the other side of the Channel—the Motion was not made at the desire of the benchers or of the profession—it emanated from a gentleman who was a member of the bar in this country, and had his time very fully occupied, and he, as a bencher of the Irish bar, objected to any such alteration. The other part of the Bill related to a regulation of the time of Henry VIII., when it was thought that every gentleman going to practise at the bar in Ireland should, for certain reasons, serve half of his terms in England and half in Ireland. That, probably, was in order that people in Ireland might be acquainted with people in England, and that as the same law prevailed in each country, the students might study in the best school of law. No complaint had been made of that law. It had the sanction of antiquity, and he believed that it was attended with beneficial results. He saw no advantage in changing old laws unless they were proved to be attended with inconvenience; and he confessed that in this case he was satisfied with the old system. The Irish students when they came over enjoyed themselves very much, and he trusted that they would long continue to come to England and distinguish themselves as they had always done on the press, at the bar, and in after years in Parliament itself. In any case he believed it was hopeless, with the discussion which such a measure would require, to introduce it at this period of the Session, and he therefore trusted the hon. and learned Member would see the propriety of postponing his measure till next February, when they could consider it much more advantageously in the cooler weather.

MR. BRADY said, he could not but express his astonishment at hearing the right hon. and learned Gentleman state that no dissatisfaction existed in the minds, or had been expressed by the Irish law students with regard to the points which this Bill proposed to remedy. He knew, on the contrary, that they felt strongly the injustice of being compelled to come to England, and regarded it as an insult to the education which they received in Ireland. If they really came to study the law of this country the thing would be intelligible; but every reasoning Gentleman would regard the paying of fees and the eating of three dinners each term as a mere matter of form. A state of things so unprofitable would be removed by the Bill of his hon. and learned Friend. The English Inns of court did not require a university degree as a necessary qualification for the profession of the bar.

MR. MALINS said, that the same distinction which the hon. and learned Gentleman complained of as existing in Ireland existed in England, for a person who had a degree from a University was called to the Bar in England after three years, whilst those who had no degree had to spend five years before they could be called. He thought there was no injustice in that, because a degree from a university was a guarantee that a gentleman had received a good general education. He also conceived it to be beneficial that Irish students should come to England for the purpose of finishing their studies. He therefore opposed the introduction of the Bill.

MR. DEASY said, he should agree to the introduction of the Bill, but he could not promise it support in its future stages. He thought it would be right to consult the benchers of Ireland before promising his support to the measure.

Motion made, and Question put,—

"That leave be given to bring in a Bill to amend certain Laws and Statutes relating to the admission of Barristers to practice in Ireland."

The House *divided*:—Ayes 179; Noes 123: Majority 56.

Bill *ordered* to be brought in by Mr. M'MAHON, Mr. BOWYER, and Mr. BRADY.

Bill *presented* and read 1°.

THAMES CONSERVANCY BILL.

LEAVE. FIRST READING.

SIR GEORGE LEWIS in moving for leave to bring in a Bill to extend the powers of the Conservators of the River Thames, said the object was one which would be approved by the House—namely to assist in the purification of the River Thames. He was afraid however, it would be of a very limited extent. The Conservators had represented to him that certain of their powers were deficient with respect to preventing the conveyance of impurities into the river, and he proposed to bring in a short Bill to supply the defect.

Bill to extend the Powers of the Conservators of the River Thames, *ordered* to be brought in by Sir GEORGE LEWIS and Mr. CLIVE.

Bill *presented* and read 1°.

PACKET AND TELEGRAPHIC CONTRACTS.

INSTRUCTION TO COMMITTEE.

MR. E. P. BOUVERIE said he rose for the purpose of bringing under the consideration of the House the petition of Sir W. Russell, asking that the Select Committee on Contracts should not investigate the matters connected with the contract for the conveyance of mails between Dover and Calais, made by the late Government, until the Dover election petition had been disposed of. Sir W. Russell was a candidate at the last election, and had petitioned against the return for the borough of Dover. In the petition which he (Mr. Bouverie) had presented the day before from that Gentleman, it was stated that Sir W. Russell was advised that the inquiry into the Dover contract by the Select Committee would be prejudicial to the inquiry on the same subject which would have to be made by the Election Committee. It therefore prayed the House that it would instruct its Committee not to inquire into that portion of the matter referred to them till the election petition had been investigated. He would briefly state the grounds why he thought they ought in justice to comply with Sir W. Russell's application. He regretted that two very distinct subjects had been referred to the same Committee. They had referred to the Select Committee the general inquiry into the policy and character of the contracts which of recent years had been entered into by the Treasury and Post Office for the conveyance of mails and telegraphic messages, and also the investigation of the circumstances connected with the two contracts of the late Government, known as the Galway and Dover contracts. He apprehended that the first portion of the inquiry might very properly be referred to the Select Committee as a fit subject for its investigation, but that the two matters, which touched the privileges of the House and the character of some of its Members, could hardly be properly conducted by the same Committee. It was to be regretted that when personal charges were in question, they should be referred to a Committee, a large proportion of the Members of which were more or less parties to the accusation brought against a certain portion of that House. He looked at the composition of that Committee, and while he saw hon. Gentlemen on it of the highest distinction, and whose character stood high in the estimation of their brother members, he saw other hon. Gentlemen upon it who, however high might be their general character—and he was not there to challenge it—were yet more or less implicated in the accusations which had been freely made. He thought the proper course was to place upon committees of this nature independent Members, along with one or two hon. Gentlemen who would undertake the laborious though somewhat odious duty of eliciting the accusations; but he found that, upon the Committee relating to contracts there were no less than four members of the Government whose proceedings had been broadly attacked, two of them being members of the department the conduct of which was particularly called in question. There were also upon the Committee a number of hon. Gentlemen who had occupied official positions, and, whether justly or unjustly, there was in the public mind a distrust as to the feeling which men who had been in office, or who were in office, might entertain with regard to accusations against public departments. He believed that, from the constitution of that Committee, its investigation with regard to the personal and incriminating charges which were preferred could not be so satisfactory as the inquiry of a Committee which directed its attention to particular cases. If the result of such an investigation was to acquit parties charged with political corruption, he did not think that decision would be regarded as the impartial verdict of disinterested men. ("Oh, oh!") He merely said that that was the necessary consequence of the constitution of the Committee. He had intended to submit the question of the Galway Packet contract specially to the notice of the House, but he had been forestalled by the Chancellor of the Exchequer, who had proposed the appointment of a general Committee. He regretted the constitution of that Committee, and, as he had stated, he believed that its decision would not be so satisfactory to the public as the decision of a Committee appointed on a different principle. He hoped, however, that the explanations afforded to that Committee would be full and satisfactory, and that the parties whose conduct was impugned would be able to relieve themselves from the imputations made against them. In the case of the Dovor contract, however, the House had another tribunal ready to their hands,—the Election Committee appointed to try the Petition of Sir W. Russell. That petition alleged distinctly that undue influence had been exercised by the Ministers of the Crown for the purpose of securing the return of the gentleman who defeated him. That was a material allegation which would of course be tried by the Committee on the Dovor Election Petition; but the same issue would substantially be tried by the Select Committee on Contracts, if it entered upon the Dovor case. Now, he asked the House to consider what were the allegations repecting the Dovor contract. A certain person of the name of Churchward, who had for some years had a contract for the conveyance of the mails between Dovor and Calais and Dovor and Ostend, applied in 1857 for additional remuneration for the services he performed. A distinct refusal was given to the application. Mr. Churchward renewed his application in the beginning of the present year, and set forth particular services which he alleged he had performed without remuneration, and for which he claimed remuneration. The claim was allowed both by the Admiralty and by the Treasury, and when he was requested to name the compensation to which he considered himself entitled for these extra services he requested to have his contract for the conveyance of the mails, which would have terminated in four years, extended until 1870, with large additional remuneration for services to be performed. He (Mr. Bouverie) was merely stating the *primâ facie* case, to which an explanation, and he trusted a perfectly satisfactory explanation, might be given. ["Oh!"] He could assure hon. Gentleman that the task which he was performing was not a pleasant one. He quite understood that men of character were often obliged to submit to have charges made against them which they did not deserve; but in justice to those Gentlemen themselves those charges when made ought to be inquired into. He begged the attention of the House to the dates, which in this case were material. On the 14th of February, Mr. Churchward wrote to the Lords of the Admiralty to ask for an extension of the Government contract from 1863 till 1870, with an additional allowance of £2,500, while in 1857 he put the extra services at £1,500. On the 23rd of February the Admiralty transmitted the application to the Treasury, recommending that the offer should be accepted. On the 3rd of March the letter was referred by the Treasury to the Postmaster General, and on the 10th of March the Postmaster General wrote to the Treasury alleging strong reasons why the application should not be acceded to. There was then a long pause; but on the 15th of April the letter of the Postmaster General having been written on the 10th of March, a Treasury minute was issued sanctioning the contract. Now, he asked the House to note what public events had occurred between the 10th of March and the 15th of April. On the 31st of March a division of great importance took place in that House, upon which the Government were defeated, and on the 4th of April a dissolution of Parliament was announced. On the 12th of April certain charges were made in that House respecting the Lords of the Admiralty, and it appeared that Sir H. Leeke, who was then a candidate for a seat in Parliament, had gone down to Dover to seek the suffrages of the burgesses of that borough. On the 15th of April the Treasury minute sanctioning an extension of the contract was signed, and on the 26th of April the contract itself was signed by the Admiralty. On the 30th of April the polling took place at Dover. It might be asked what had the polling at Dover, the dissolution of Parliament, and the discussions which had taken place about the seat for Dover to do with Mr. Churchward and his contract. That was a question which he thought might fairly form the subject of investigation before an Election Committee, for there were strong suspicions that these proceedings had not been unconnected with political corruption. Mr. Churchward was a gentleman who was not unknown to fame or to the House. He was, from his position, an extensive employer of labour at Dover, and could command from 100 to 120 votes in that constituency. Mr. Churchward was a gentleman who in 1852 happened to have a commanding influence in the borough of Plymouth, and he was referred to in the report of an Election Committee presented to that House. That Committee reported, that

> "It was proved that George Knapman was bribed by the said Charles John Mare, Esq., the sitting Member, and by Joseph George Churchward, by a promise to use their influence to obtain him a situation in the Excise. That Robert Shears was bribed by the said Joseph George Churchward by a promise of a situation in the Customs for his son-in-law; and that William King was bribed by the said Joseph George Churchward by a promise of employment."

Mr. Churchward then went with a tainted character to the hon. Gentlemen who represented those departments; and while he was disposed to hope and believe that there was no ground for the accusations of political corruption in this matter, which were freely launched against them, still there was unanswerable ground for charging them with the greatest incaution and indiscretion in having at a political crisis, and with a contest pending at Dover, given a reversionary contract that could not come into operation till four years after the termination of the existing contract, to a man whose reputation had been blasted by the report of a Committee of that House as a most notorious briber. That was the issue which the Election Committee would have to try; and he asked the House whether they were prepared to say that it was convenient that the inquiries should be conducted at the same time by the two committees—the one being a Select Committee, constituted as he had named, and whose decisions would be regarded with distrust; the other being an Election Committee, composed as such tribunals were with every assistance which the presence of lawyers and which the forms of the House could give for eliciting the truth and arriving at a correct conclusion. The members of an Election Committee were sworn to make a just deliverance; they were few in number, responsible, and regular in their attendance from day to day; not varying in number, so that there was no probability of a chance majority deciding one way to-day and another to-morrow. Counsel on both sides appeared before them, who by their keen encounter of wits, and above all, by their examination and cross-examination of witnesses who made their statements upon oath, would probe the matter to the bottom. Could there be any doubt as to which of these two tribunals would be the best instrument for getting at the truth? He presumed that hon. Gentlemen opposite wished to have the truth brought out, and therefore it was perfectly incontrovertible that the question should be tried by the Election Committee in preference to the Select Committee. Sir W. Russell said his case would be materially damaged by having these witnesses, some of whom were of tainted character, brought before a Select Committee and put through a preliminary examination, not upon oath. But suppose a Select Committee came to a conclusion before the Election Committee, would not the Election Committee in that case really be a committee of appeal, not trying the issue submitted to them, but whether the Select Committee had decided rightly or wrongly? Surely, then, nobody who desired to have the truth fully sifted, and to avoid a conflict of jurisdiction between different Committees, could hesitate to prefer an investigation before an Election Committee. He had feebly endeavoured to urge Sir W. Russell's interests in that matter. He begged to say he had done so totally irrespective of the party to which Sir W. Russell belonged; and if any other petitioner to that House could satisfy him that he had a fair claim to a similar Resolution he would do his best, regardless of party considerations, to have justice done to him. His past conduct in respect to Election Committees ought to convince hon. Gentlemen that he was influenced solely by a regard for what was just. In conclusion, he trusted that for the interests of the public, for the character of the House, and, above all, for the sake of hon. Gentlemen who were accused, there would be the fullest investigation into these suspicious circumstances.

Motion made, and Question proposed,—

"That it be an Instruction to the Select Committee on Packet and Telegraphic Contracts not to proceed to inquire into the Mail Packet Contract for the Conveyance of Mails between Dover and Calais, and between Dover and Ostend, until the Petition of Sir William Russell, baronet, complaining of an undue Election, and Return for the Town and Port of Dover, shall have been disposed of."

Sir **STAFFORD NORTHCOTE** said, he could state for himself as a party very much concerned in that question, and also, he was sure, for the Gentlemen who sat around him, that their only wish in this matter was precisely the same as that expressed by the right hon. Gentleman opposite; namely, that the case should be fully and fairly discussed, and the truth in every possible way sought out and brought to light. If it was of importance to the House, as it undoubtedly was, that the truth in regard to that question should be ascertained, it was of much more importance, he ventured to say, though hon. Gentlemen might perhaps not think so, that an opportunity should be given to the accused to clear themselves from the charges brought against them now on more than one occasion, charges which they utterly repudiated, for which, when they came to be investigated, there would be seen to be not a particle of foundation; but which were repeated one night after another by hon. Gentlemen, in a form that had hitherto prevented them from being fairly discussed. Hon. Gentlemen had obtained a Committee, which it was understood was to have fully and fairly inquired into that matter, and for the judgment of which the late Government had reserved their defence. But now, at the very time when that Committee had actually commenced their labours and the case was about to be examined, the right hon. Gentleman interposed, and asked that the investigation should be postponed until an Election Committee had reported, which would probably not sit that year. Meanwhile, the right hon. Gentleman, and those who sat around him, come forward night after night, launching accusations at the head of the late Government, and taunting them in every way with not answering them. And for what reason was that request made? If the Committee on the Mail and Telegraph Contracts, which was now carrying on its inquiry, were, indeed, to supersede the Election Committee, or if the evidence taken before it would prevent Sir W. Russell in any way from substantiating the charges he had made, the contrast drawn by the right hon. Gentleman between the two tribunals might be fair enough. But how was the inquiry before the Select Committee to prevent the petitioner from bringing forward any evidence he possessed? He would not do Sir W. Russell the injustice to suppose that his petition contained only fishing allegations, put forward on mere grounds of suspicion, but would give him credit for believing that he had some evidence to support his serious charges against the late Government. How, then, could he be precluded by the Select Committee from making use of that evidence before the Election Committee? On the other hand, it was quite possible that something might be elicited before the Select Committee of which Sir W. Russell was not in possession, and of which he might avail himself, thereby prejudicing the rights of the sitting Members, if there was any truth in these allegations. And if the present application had come from the side of the sitting Members, and they had prayed that the case might not be examined into till they had had their case heard, one might have understood on what grounds it was based. But, supposing Sir W. Russell's only object to be to get at the truth, why he would have two engines for his purpose—first, the Select Committee, and next the Election Committee. A Select Committee might, perhaps, not be quite so good as an Election Committee for such an inquiry; but, at all events, it would not prevent him from afterwards adducing his evidence. In one way, perhaps, he might be injured. The Select Committee would inquire into the general subject, and when particular contracts were examined, it would turn out, on more light being thrown on the usual practice of Governments in granting them, that things which appeared suspicious on the first blush were not really so much so as they seemed. That Committee, containing hon. Gentlemen like himself interested in these proceedings, would by examination and cross-examination, bring out more stages of those transactions than could possibly appear upon the printed papers. Sir W. Russell would have it in his power to take advantage of any evidence that might be thus obtained, and he certainly could not be prejudiced by the investigation of the Select Committee. The right hon. Gentleman objected to the composition of the Select Committee, because it comprised several Members of the late Government. Now, that Committee was expressly appointed to enter into the general subject of contracts, and the moment it was appointed the right hon. Gentleman himself, the noble Lord the Member for Forfarshire, and others, rose after he (Sir Stafford Northcote) had spoken, and could not therefore reply to them, and particularly emphasized the Galway and Dover contracts. [Mr. E. P. BOUVERIE: I abstained from mentioning Dover altogether.] He thought he was correct in stating that the right hon. Gentleman expressly emphasized the Galway contract, and that the hon. Member for Richmond (Mr. Rich) alluded particularly to the Dover contract. The right hon. Gentleman had again referred to the Galway contract, and had said that the Select Committee recently appointed was not a proper tribunal to try the Galway contract any more than the Dover contract. But, as everybody knew that both the Galway and Dover contracts were to be investigated by the Select Committee, the right hon. Gentleman ought to have objected to the composition of that body at the time it was nominated, and not after it had commenced its labours. As the right hon. Gentleman had again brought forward the same charges relative to the Dover contract which were formerly advanced by the hon. Member for Richmond, he hoped he might be permitted, as he was the person who happened to be mainly interested in the matter, to address a few observations to the House upon the subject. In the first place, he took upon himself a large share of the responsibility. Packet contracts were dealt with by two departments—by the Admiralty as the advising and ministerial department, and by the Treasury as the deciding department. The final decision rested with the Treasury. In the case of the Dover contract the judgment of the Admiralty was formed and expressed before there was any question of a dissolution of Parliament. It was with the Treasury that the delay occurred, and in the Treasury, he did not shrink from saying, the responsibility mainly rested upon himself. He was the superior officer there under the Chancellor of the Exchequer, and although in the decision as to the Dover contract of course he deferred to his right hon. Friend, yet he had the principal investigation of the matter, and the opinion which he formed upon it, and which he communicated to the Chancellor of the Exchequer, was that which mainly influenced the granting of the contract. He thought, therefore, he might crave the indulgence of the House while he stated how the case really stood, and he confidently believed that a simple statement of the facts would remove much of the suspicion which, in the minds of certain parties, attached to the transaction. The Dover contract was originally granted to Mr. Churchward in 1853 by the Government of the Earl of Aberdeen, and he need hardly remind the House that the year 1853 was subsequent to 1852, when those charges were made against Mr. Churchward to which the right hon. Gentleman had referred. He could only say, for his own part, that he had never heard anything of the connection of Mr. Churchward with Plymouth, nor of the accusations which had been brought against him by an Election Committee. But let that pass. It was sufficient to state that the Dover contract was granted by the Government of the Earl of Aberdeen in 1853 to Mr. Churchward, after an open competition, in which Mr. Churchward undertook the service at a much lower rate than that offered by the other competitors one of whom was the South Eastern Railway Company, or than that at which the same work had previously been performed. The arrangement was that Mr. Churchward should receive a subsidy of £15,500 a year on condition of his performing certain postal services, and in addition a certain number of special services; but for any services beyond those special services he was to be paid at a rate which was to be afterwards ascertained. There was also a clause in the contract which bound him to carry on the Indian mails whenever they arrived. Such was the bargain made in 1853. In 1855, when the Government of the Earl of Aberdeen was still in office, when the right hon. Baronet the Member for Carlisle (Sir James Graham) was at the head of the Admiralty, when Mr. Bernal Osborne, the late Member for Dover, was Secretary to the Admiralty, when the present Chancellor of the Exchequer filled the same office which he now occupied, and when the Vice-President of the Board of Trade (Mr. Wilson) was Secretary to the Treasury, Mr. Churchward applied for an extension of his contract, which had then been in operation for little more than a year only. Five years were immediately added by the Government to a contract which had still three years to run. The ground for that extension was that Mr. Churchward had, in 1853, made a bargain very favourable to the country, and had suffered from the loss of one of his vessels. Certainly that was not a strong ground for extending the contract, but it was thought sufficient by the Government of the day. Mr. Churchward, after he had taken the contract with the English Government, took another with the French Government. Subsequently to the extension in 1855, the special services that he was called upon to perform became much more numerous than they had previously been, and many cases occurred in which he had to present bills for work done over and above the conditions of his contract. In 1857, the Indian mails were doubled in number, and a system was adopted of accelerating them through France, so that in almost every instance he was obliged to send a special boat, at a considerable expense to himself, for the purpose of bringing them to England. The Australian mails were also added to his contract, and in short, a large amount of postal service was cast upon him, for which, although by a strict construction of the letter of his contract it might be classed under the head of the service which he was bound to perform without remuneration, he was in equity entitled to be paid. So matters stood when, in the first month of the present year, Mr. Churchward presented another bill to the Admiralty, which called attention to the whole subject, and necessitated a final settlement. The Admiralty referred the matter to the Treasury, stating their opinion that it was a fair claim, which ought to be paid. On reference to the Postmaster General, he also agreed that it ought to be paid. The Admiralty then requested the opinion of the Treasury, whether it should be done by a mileage rate or by a commuted payment; they referred to the Postmaster General, but he declined to give any opinion on that point. In February the Treasury urged the Admiralty to try to make an arrangement with Mr. Churchward. The Admiralty thereupon called upon Mr. Churchward to state what he wanted, and then it was that Mr. Churchward made the proposal to which the right hon. Gentleman the Member for Kilmarnock had referred. He proposed that the extra payment should be at the rate of £2,500 a year for all the services he performed up to a certain number, and he submitted a calculation which showed that if the commutation which he proposed were adopted, the Government would be gainers to the extent of £100 per annum. At the same time he made an application for an extension of his contract, which had to run till 1863, just as he had done in 1853, when it had to run till 1859. The ground upon which he asked for that extension was, that he found, on looking over his affairs, that he had sustained very heavy losses, which put him in a worse position than he had occupied in 1853, when his claim to an extension was admitted by the Government of the Earl of Aberdeen. The late Admiralty took the same view as the Admiralty of 1853, and recommended that his contract should be extended in compensation for his losses. That was the main ground. The matter was then sent to the Treasury, and was referred by the Treasury to the Postmaster General, who raised certain objections to an extension of the contract, saying that although he thought Mr. Churchward ought to be paid for his extra services, he did not believe that the plan of paying for them by a fixed sum would be convenient, inasmuch as the services required to be performed might vary in number. That was the last letter which appeared in the papers presented to the House. It was necessary at this point to explain that, for the purpose of dealing with matters of this kind, the Treasury was divided into departments. Those departments were under the charge of clerks, whose special duty it was to write reports upon the business coming before them, which reports were submitted to the Assistant Secretary, who in turn communicated his views to the Financial Secretary. The matters then became the subject of internal discussion among the different Members of the Treasury itself. That was the case in the present instance. The interval which the right hon. Gentleman had pointed out between the 10th of March and the 15th of April was filled up by discussions among the officers of the Treasury themselves, and the various minutes, reports, and other documents which then passed between the different departments of the Treasury would be laid before the Select Committee. He might, however, state generally what the nature of them was. The report of the Postmaster General against an extension of the contract went to the clerk of the department to which it belonged. That functionary was doubtful as to the proposed commutation, but his opinion was decidedly against an extension. The matter was then referred to the Assistant Secretary, who wrote a memorandum upon it, in which he expressed an opinion contrary to the view of the Postmaster General. His argument was that in the case of a contractor who was doing a service well it would not be wise for the period his contract had to run to impose upon him conditions which might render him dissatisfied with his position. It was possible that at the end of three or four years they might have a more favourable opening ; but on the other hand they had the certainty that he would perform the service for the remainder of the existing term on unfavourable terms. The matter then came to him (Sir S. Northcote) in that shape. He was of opinion that, having regard to the losses which Mr. Churchward was alleged to have experienced, they afforded no sufficient ground for extending the contract. He had to consider, however, whether it was worth while to allow a contractor to become dissatisfied before the conclusion of his contract, and perhaps on that account to perform it in an inferior manner, upon the chance of getting the service better done by inviting competition at the expiration of the term. That point had frequently been under the consideration of different Governments, and there were instances in which the Treasury against the recommendation of the Post Office had extended the contract on those very grounds. One case he would mention was that of the Pacific service, the contract for which was extended a considerable number of years before it had expired, although the service was carried on not in British territory at all, and was not productive of revenue to the amount of the subsidy. He was free to say, however, that, although he thought there was great force in the argument he had mentioned, he was not entirely satisfied by it, and he therefore drew up a minute, addressed to the Assistant Secretary, in which he said he felt considerable doubt as to the extension of a contract of this kind with so long a term to elapse before it would expire, though from the circumstances in which Mr. Churchward was placed he was entitled to liberal consideration; and he suggested that the Assistant Secretary should communicate with Mr. Churchward as to the increase of his subsidy during the four years which his contract had to run, and endeavour to make a satisfactory arrangement in this way, without renewing the contract. Mr. Hamilton accordingly saw Mr. Churchward, who afterwards wrote strongly urging that no such addition would meet his case, for that his whole arrangements turned upon the extension of the contract; that the English service alone was unremunerative, but that he had in addition the French service until 1870, and had taken the English contract at a low sum in the expectation of making the two work together and pay; that he was anxious to introduce improvements, but was unable to do so, because the French Government would not treat with him on account of the shortness of the term of his English contract, not feeling sure that he could carry out the things which he undertook to perform. After this he (Sir Stafford Northcote) saw Mr. Churchward in the presence of Mr. Hamilton and the clerk in whose department these matters were. The subject was fully discussed, and Mr. Churchward explained that the services which he was performing for the two countries were intimately connected, and that he was then engaged in negotiations with the French Government by which he expected to accelerate the French mail by some four hours, reducing the time from fifteen to ten or eleven hours, changing it also from a night to a day service, and altering the ports of departure. He (Sir Stafford Northcote) pointed out the objections of the Postmaster General, that "any extension of the duration of this contract would be objectionable, as it might probably fetter the Post Office in its negotiations with foreign countries, and increase the difficulty already experienced in improving the continental postal arrangements, through apprehensions of the South Eastern Railway Company that, by a change in the hours of sailing or in the French port of arrival and despatch, the traffic by this Company's own boats may be seriously injured." The most important point which the Postmaster General brought forward was that the South Eastern Railway would be jealous of this arrangement. But the apprehensions of the railway company were founded on the change not in the English service—with which when the contract expired there would be a power of dealing—but in the French contract, which there was no power to upset until 1870. It struck him, therefore, that there was very little in that objection. The Postmaster General also suggested that the Ostend mail service might be changed from a night to a day service. Mr. Churchward said he desired that very much, because a day service would be much more profitable than a night service; and he added that he was in communication with the Belgian Government, and that his prospect of making arrangements with them depended upon the conclusion of arrangements with the British Government. He (Sir Stafford Northcote) would not then go into the subject fully, but the conclusion to which he came, on a patient consideration of the whole facts, was that the contract ought to be extended. It was in these discussions and this correspondence that a considerable portion of the time to which the right hon. Gentleman referred was spent; for he need hardly say that there was a great deal to do in the Treasury, and other matters intervened which occupied time. As to the Postmaster General's remarks on the subject of a fixed payment, he admitted that there were certain things in these papers which *primâ facie* appeared somewhat suspicious, and that there was one blot in the proceedings respecting the renewal of the contract. After the discussion to which he had alluded he came to the conclusion that the contract should be extended on two conditions, first that Mr. Churchward should bind himself not to enter into arrangements with any foreign Government unless with the consent of the Treasury, inasmuch as it was found that these arrangements overlapped, as it were, the contract with the English Government, and gave Mr. Churchward a great advantage over them; and secondly, in order to meet the objections of the Postmaster General, that instead of having an absolute fixed addition to his subsidy of £2,500 a year he should have a *maximum* of £2,500 a year, subject to a diminution if the special service should fall off. A minute of the Treasury was thereupon drawn out. He (Sir Stafford Northcote) was sorry to say, however, that having left town in the interval, and the clerk whose business it was to give effect to this decision having also gone out of town, the matter fell into the hands of a junior clerk, and the result was that the contract had been executed without those two conditions. He never found it out until these papers were printed; but he understood now that Mr. Churchward fully acknowledged his obligation with respect to the first of these points. As to the second, the Select Committee would no doubt inquire into it, and Mr. Churchward would be called on to embody this condition also in a subsequent contract. He had now explained the share which he had taken in this business, and he could solemnly and conscientiously assure the House that the negotiations were conducted by him and the decision was arrived at solely upon public grounds. He had given the history of the transaction and of the arguments which weighed with him. He did not deny that he knew an election was pending at Dover, and that Mr. Churchward was a person of some importance there. He knew, also, that Mr. Churchward was a gentleman who was attached to the Conservative party, having formerly, he believed, been connected with *The Morning Herald.* He would frankly own that these considerations did so far affect his conduct that they made him doubt for a moment or two whether it was desirable to conclude negotiations thus begun while the election was pending. For the moment he put the papers aside, but then he thought to himself, "How can I, without acting as a coward, put aside papers which have come before me regularly upon any such grounds?" He considered the matter therefore entirely in a public point of view, and acted entirely with an eye to the public interests. As far as he and those of his colleagues who sat upon the Packet Committee were concerned, their wish had been to challenge the fullest inquiry, and if it seemed to the House that the postponement of the investigation by that Committee until it had been inquired into by the Election Committee was most likely to conduce to the discovery of the facts they were quite ready to accede to such an arrangement, for their only wish was to clear their characters, and to elicit the truth of the charges which had been made against them.

Mr. COWPER said, he wished to revert to the real question before the House, which was the Petition of Sir William Russell. There were two modes of action which this House adopted—one based on its judicial capacity, and the other on its character as the grand inquest of the nation. Now, the Petitioner asked that they should view this matter in their judicial capacity, and he thought the House would do wrong not to grant its prayer. Sir William Russell, being the claimant of a seat in that House, declared that he had been advised by counsel that his case would materially suffer if the subject of the mail contract were first investigated by the Select Committee. He (Mr. Cowper) thought the Petitioner was to be considered the best judge of his own case, and should in justice be allowed to conduct it as he was advised. The accusation made against the late Government, that they had used the influence of the Crown to corruptly sway the election, was a very grave allegation, which he thought ought to be treated judicially. He knew the history of the steam contracts from the beginning, and although there might have been many charges of neglect and want of caution with regard to them, the Dovor and Galway contracts were the first in which an allegation had been made against any department of a Government that it had entered into such an agreement with the view of influencing the return of Members to that House. The question involved was one, therefore, which ought to be treated judicially, and with the utmost seriousness, inasmuch as the honour and integrity of the House were implicated in its solution. The hon. Gentleman who had just spoken had made a statement which he was glad to hear, but then he could not help thinking that it would be more satisfactory if that statement were made before an Election Committee. He was sincerely desirous that hon. Gentlemen opposite should be able to come out of the transaction with credit, and he hoped they would not deem it their duty to oppose the Motion before the House.

Sir Stafford Northcote

Mr. WHITESIDE said, the right hon. Gentleman who had just spoken had called upon the House to treat the question under consideration judicially and seriously, while the right hon. Gentleman who had made the Motion had declared himself to be a lover of justice, and had then proceeded to attack the composition of the tribunal before whom all the parties concerned were to appear—namely, the Select Committee which had been appointed to inquire into the subject of Government contracts. Nay, more, the right hon. Gentleman who was so ardent a lover of justice had gone on to state that, if by that Committee the late Government should be acquitted of all corrupt motives in dealing with those transactions, a similar verdict would not be pronounced by the public at large. The right hon. Gentleman, indeed, seemed to forget what had been done in the House so recently, when the Chancellor of the Exchequer, in the conscientious discharge of his duty, refused to change the composition of the Committee on Contracts, although he had been called upon to do so by several hon. Members who objected to it on other grounds than those which the right hon. Gentleman has advanced. The right hon. Gentleman, notwithstanding all that had taken place in connection with the appointment of that Committee, did not hesitate to stand up in that House and to pronounce the Committee to be most unfortunately constituted for the investigation of the subject to which his Motion related. But how, let him ask, could the assumptions on which the argument of the right hon. Gentleman proceeded be justified? How could the trial which would take place before the Election Committee be prejudiced by the fact that the truth had been previously elicited? The Committee on Contracts had been appointed by the House to inquire into the question whether that political corruption existed by the very mention of which the right hon. Gentleman seemed to be so much distressed. The conduct of the late Government in making those contracts had been impeached. They challenged inquiry, and because, forsooth, the right hon. Gentleman was apprehensive that justice would not be done, he made an appeal to the House on behalf of the Petitioner whose cause he advocated that the investigation, which it had been deliberately decided should be entered into, should be postponed. And what was the ground upon which the appeal was based? Upon the fact that the Petitioner alleged that injury would otherwise be done to him, and that his counsel concurred in that opinion. Was that, he would ask, a sufficient reason for putting off indefinitely an investigation which some hon. Gentlemen but a few nights ago appeared to think ought to be so promptly proceeded with, that not a moment's delay in its prosecution ought to be allowed to occur? The right hon. Gentleman had in effect cast another imputation upon those who already stood accused, inasmuch as the tendency of his speech had been to prove that the Members of that House who were nominated to sit on the Committee on Contracts were incompetent to elicit the truth, and that in order to attain that object the whole matter must be referred to a tribunal before which evidence would be taken upon oath. He should submit to the House, however, that the late Government had a right to demand that the charges which were made against them should be without delay inquired into by that Committee, in whose honour every hon. Member ought to be prepared to repose the most implicit confidence. Indeed, the whole of the present proceeding was an attack on the privileges and independence of that House, and as such the House would be prepared to deal with it.

MR. HENLEY remarked that the House was placed in a very inconvenient position in relation to the question at issue. It would seem that two Committees were likely to take cognizance of the matter under consideration, and the House was nevertheless engaged in discussing that very matter itself. The right hon. Gentleman, indeed, who had introduced the subject had dealt with it as fully and as enthusiastically as if he stood in the position of a counsel submitting his case to a jury, and that course was taken, it would appear, under the pretence of doing justice. The right hon. Gentleman had gone into a large amount of criminatory matter to prove that Sir W. Russell would be prejudiced if the prayer of his petition were not granted, and yet he had really failed to show in what respect Sir W. Russell would be injured if the House should not agree to the Motion. The House, however, was asked to accede to that Motion on the grounds of justice. It was asserted that the late Government were accused of acts which were, to say the least of them, not very decent, and that the charge demanded investigation. Now, everybody concurred in that opinion; but then the right hon. Gentleman must not endeavour to induce the House to believe that the issue in the matter lay between Sir W. Russell and somebody else who had been returned for Dovor, and that hon. Gentlemen whose names were implicated in these transactions should not be allowed to defend themselves. Was that, he should like to know, the view of doing justice which the right hon. Gentleman entertained? Was it right that when all the circumstances of the case might come out collaterally upon oath, and when the characters of hon. Members might be whispered, or rather sworn away, they should have no opportunity of presenting themselves before the tribunal before which such proceedings took place? There was not, in his opinion, even the semblance of justice in such a proposal. Indeed, it would appear, when the fact that the Election Committee was not likely to sit for some time was taken into consideration, as if it were sought to shut out from the possibility of refuting the accusations which were brought against them those hon. Gentlemen whose conduct had been assailed. He could therefore see no justice in the course which the right hon. Gentleman opposite wished the House to sanction.

MR. COLLIER contended that those members of the late Government who felt that their conduct was impeached might present themselves before the Election Committee, and thus have an adequate opportunity afforded them of clearing their characters upon oath. The real objection to the Election Committee, however, which was felt by those Gentlemen, and those by whom they were supported, was that they would not form part of the tribunal to try themselves. The Secretary to the Treasury said part of the case of the late Government would be one of recrimination. [SIR STAFFORD NORTHCOTE dissented.] He (Mr. Collier) contended that if it was the object of hon. Gentlemen on the Opposition side to satisfy the public in this matter, they would not do themselves justice by opposing the Motion before the House.

THE CHANCELLOR OF THE EXCHEQUER said, he for one felt the force of the appeal made to the House that they should treat this matter in a spirit of impartiality, and strictly refuse to look at it from a party point of view. Endeavouring to approach the question in that spirit, he did not doubt his right hon. Friend (Mr. Bouverie) had made this Motion with no other aim in his mind than the advancement of public justice. He thought, however, the speech of his right hon. Friend was not calculated to present his Motion altogether in that light of impartiality, because he undoubtedly founded his Motion on the allegation of the Petitioner that he would suffer in his interests, as a party asking the seat for Dovor, if this matter underwent a prior investigation before the Select Committee. But he (the Chancellor of the Exchequer) put it to the recollection of the House whether his right hon. Friend did not likewise in great part found his Motion on the doctrine that the Select Committee which the House had appointed to investigate those packet and telegraph contracts was a Committee competent indeed to investigate the general questions of policy and prudence submitted to it, but not worthy of the confidence of the House or the public with reference to the particular cases of Dovor and Galway. He (the Chancellor of the Exchequer) confessed—and the Government shared that feeling—that he was most unwilling to take any step which should by the remotest implication appear to indicate a participation on the part of the Government in that want of confidence in the Select Committee, whether for the one purpose or the other. That Committee was not appointed for the purpose of conducting certain cases of criminatory accusation against any Government in particular. It was not to try the case of Dovor or Galway in any other spirit than that in which it would be its duty to examine every other case of contract that might come before it. It appeared to him that each of those inquiries, whether before an Election Committee or a Select Committee, had its own advantages. Undoubtedly, an inquiry before an Election Committee would be better for some purposes, and an inquiry before a Select Committee, with its larger and more comprehensive aspect, would be better for other purposes; but it was only a question which inquiry should be prior. Endeavouring to look fairly at the case, he received the allegation of the Petitioner that he would be prejudiced if this matter were first tried before the Select Committee, but he thought it would have better suited the convenience of the House if that allegation had been somewhat more explicit. But, treating that as a *bonâ fide* allegation, he (the Chancellor of the Exchequer) asked what course the House ought now to take? The Chairman of the Select Committee was, absent at that moment from his place in the House, and they had no means of ascertaining whether the Committee had been regularly made cognizant of this petition, and whether they were prepared to give an opinion upon it. The question was, should the House undertake—with that allegation of contingent damage before them which had not been developed in explanation, and into which they could not there institute any scrutiny—on that ground to step in and limit the inquiry of the Select Committee which they themselves had appointed? The other alternative seemed to be a simple one. He did not think the House was bound to treat this petition with disrespect, and if it was competent to him to make such a Motion, he should be disposed to propose that the Petition of Sir William Russell be referred to the Select Committee itself. That Committee would then be in a condition to examine if they pleased, and with closed doors if they pleased, the persons who had made, or had advised Sir William Russell to make the allegations contained in his petition. They would also be fair judges of the question whether that investigation prior to the sitting of the Election Committee would be likely to prejudice the interests of Sir William Russell. Judging between those two alternatives, he confessed he thought it would be the safer and more prudent course that they should allow the Select Committee itself to form its opinion on that subject; and if it were competent to him he would, therefore, move that the Petition of Sir W. Russell be referred to the Select Committee on Packet and Telegraphic Contracts.

Amendment proposed,—

"To leave out from the word 'That,' to the end of the Question, in order to add the words 'the Petition of Sir William Russell, [presented 18th July], be referred to the Select Committee on Packet and Telegraphic Contracts.'"

Question proposed, "That the words proposed to be left out stand part of the Question."

Sir FRANCIS BARING said, that in the absence of the Chairman he, as a member of the Committee, wished to explain that they had the agent of the petitioner before them, when he made the same statements as were laid down in the petition. There were, however, no particulars of any inconvenience likely to arise laid before them. The Chairman informed the agent that it was the opinion of the Committee that if the case were referred to them they would not alter the ordinary course of proceeding unless they had instructions from the House, but that they would not go on till an opportunity had been given of presenting their petition to the House. He (Sir Francis Baring) had no authority to state the opinion of the Committee; but he believed the general impression of the Members was that no statement of inconveniences likely to ensue having been made, the proceedings of the Committee ought not to be impeded, especially as there was no prospect of the Dovor election committee being proceeded with this year.

MR. DISRAELI said, he thought that after the statement of the right hon. Gentleman (Sir Francis Baring) the Chancellor of the Exchequer would hardly expect the House to support the suggestion he had made for referring the petition to the Select Committee. He should himself—though he had great doubts as to the expediency of such a course—have agreed to the suggestion of the Chancellor of the Exchequer, and left the Select Committee to decide the question. But there could then be no reason for taking that course, seeing the conclusion at which the Select Committee had arrived. He gave full credit to the right hon. Gentleman who introduced this business for all the impartiality of feeling which he had evinced. He held a deservedly high position in the opinion of the House, for he had on many occasions performed the difficult and arduous duties of Chairman of Committees; but he might be allowed to express the hope that he would not be Chairman of the Committee that was to investigate this matter. He thought the Members of the late Government had some claim on the consideration of the House in present circumstances. As there was really no prospect of the proceedings at the Dovor election being examined before a Committee this Session, it would not be fair to deprive the Members of the late Government of the opportunity that presented itself of promoting an investigation into all the circumstances of this case. His own anxiety was, he confessed, much alleviated by the full and manly statement which his hon. Friend (Sir Stafford Northcote), without asking it, had had an opportunity of making. That statement must have carried conviction to the mind of every Member in that House. So interesting was it from the candid and ingenuous spirit that pervaded it, and so characteristic of the nature of his hon. Friend, that it must have been felt to be a complete answer to the charges brought forward by the right hon. Member for Kilmarnock. He thought, with reference to the exact case before the House, that it was of importance to maintain the authority of the Select Committee in the important labours they were pursuing. By so doing they would be taking a course that would elicit truth, and that would do no injury to the interests of Sir William Russell. It was, no doubt, possible for a clever counsel to give an opinion that it would be of advantage to his client that the investigation before the Select Committee should not be pursued; but he should be surprised, and the character of that House would be changed, if they fell into so easy a trap, and allowed the authority of the Committee to be interfered with at the adroit suggestion of an anonymous counsel.

VISCOUNT PALMERSTON said, he considered that the functions of the two Committees would lie in different directions, and that they were not connected the one with the other. There was no ground for interfering with the Committee on contracts, because the Election Committee would be likely to inquire into one or two of the cases which the other Committee had to take into consideration. His right hon. Friend (Mr. Gladstone) had suggested that the Petition of Sir William Russell should be referred to the Committee on Contracts, as it was thought that Committee would judiciously use its discretion in the matter, but since that proposition was made the right hon. Gentleman the Member for Portsmouth (Sir Francis Baring) had informed the House that the Committee had already taken the question into consideration; that they had, in fact, taken the step which it was the intention of his right hon. Friend's Amendment to enable them to take. In these circumstances, his right hon. Friend would probably be of opinion that the Amendment was not now called for, and that the sense of the House should be taken on the main question, as to whether there should be any interference with the inquiry of the Contract Committee.

MR. E. P. BOUVERIE said, he did not think that the case had been met by the assertion that the inconvenience to Sir W. Russell had not been stated. If this issue were tried by the Select Committee it must also be tried by the Election Committee. Assume for the sake of argument that the Select Committee came to one decision and the Election Committee to another, in what a position would it place the House of Commons? For these reasons he should put the House to the trouble of a division.

Amendment, by leave, *withdrawn.*

Original Question put.

The House *divided:*—Ayes 61; Noes 223: Majority 162.

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, July 20, 1859.

MINUTES.] NEW MEMBER SWORN.—For Wicklow, Right hon. Lord Proby.

PUBLIC BILLS.—1° Local Government Supplemental; Consolidated Fund (£7,000,000).

2° Edinburgh, &c., Annuity Tax Abolition; Weights and Measures; Diplomatic Pensions; Imprisonment for Small Debts; Judgments (Ireland).

EDINBURGH, &c., ANNUITY TAX ABOLITION BILL.

SECOND READING.

Order for Second Reading read.

MR. BLACK,* in moving the second reading of the Annuity Tax Abolition Bill, said — When last Session I moved the second reading of this Bill, I was reproved for giving no explanations or reasons why it should pass. I do not intend to expose myself to the same reproof on this occasion. At the same time I will endeavour to condense, as much as possible, what I have to say on the subject. I shall confine my observations to Edinburgh, as I am best acquainted with that part of the case. I will not enter into the history of the origin of the tax, but only notice that the Act of 1661 is the ruling Act by which the tax was collected. But this odious tax was largely increased and intensified by a fraudulent collusion between the clergy and the magistrates in 1809, when, without giving notice to the inhabitants, they smuggled into a private Bill a clause by which the clergy overreached the magistrates, and, after long litigation, secured the plunder which the magistrates intended to have devoted to their own purposes. I shall not be surprised if hon. Members imagine that I am only retailing a popular calumny, but I repeat that I am prepared to prove that this is a literal fact, as I have with me extracts from their own averments in their written pleadings before the Court; and if it is denied, I can read those extracts, which, although curious, I will not trouble the House with at present. When speaking of the Established Church in Edinburgh it will be well that we understand what we are speaking about. I daresay many English Members imagine that it holds a position in Edinburgh somewhat similar to that of the Established Church in England. Fortunately I can refer to a document which will not be controverted, in which the numbers of the adherents of the different denominations are stated by parties who could have no bias on the subject, and only acted in their official capacity when preparing the Census of 1851. I request the especial attention of the House to this statement:—

Results of the Census of 1854 with respect to the Religious Establishments in Edinburgh and Leith:—

Religious Denomination.	Places of Worship.	Sittings.	Attendants, Morning.	Attendants, Afternoon.
Established	26	19,994	8,674	6,887
United Presbyterian	20	20,465	12,792	15,235
Free	29	20,830	15,315	15,922
Other Denominations	48	20,584	12,105	9,183
Total	123	81,873	48,886	47,227

The whole number who attended divine service on that particular day was 48,886. Now, do hon. Members imagine that one-half or one-third of these belonged to the Establishment? there were just 8,674, or less than one-fifth. The statement includes Leith, which is almost a suburb of Edinburgh; but that does not affect the proportions. Now from this, I ask if it is reasonable that four-fifths of other denominations should be taxed to provide for the ministers of one-fourth. Another inference I draw from this is, that it is not to the Established Church alone that we are indebted for the maintenance of religion and morality. Here we have ninety-seven places of worship maintained by Dissenters, against twenty-six by the Church; the adherents of the Church often assume that it is to the Establishment we are mainly indebted for the maintenance of public worship. Another assumption is, that it is the church of the poor. Now here are 20,000 sittings, and only 8,674 occupants; for the poor would be welcomed to those empty pews, but they will not go. It is the churches of the Dissenters that are the churches of the poor. Let us then keep in mind that by the Census of 1851, the Established Church in Edinburgh is not a majority, but in short can only rank as one of the sects, and not the most numerous; not the first or the second, but only the third on the list. I have the pleasure to know many of the Established ministers to be men of talent and learning, and most estimable characters, but they have the misfortune to be placed in rather an odious position by this tax, and I wish to give full scope to their talents and usefulness by relieving them from their disagreeable position. The division of last Wednesday on the Church Rates Abolition Bill was a significant fact, showing the advance of public opinion against compulsion in matters of religion. Now the church rates are mild compared with this tax. They only compel the population generally to support the fabrics where the members of the Establishment worship; but this tax extorts from members of other communions money to support the ministers of a sect to which four-fifths of the community do not belong, and to which some are decidedly opposed. Ministers' money in Ireland was abolished two years ago. The two taxes were the same in principle—both taxed the many for the support of the few, both partook of the essence of persecution. For if it be persecution to compel men to profess a creed which they do not believe, it is no less persecution to compel men to support the preachers of a creed in which they do not believe. I do not, however, say that the doctrines of the Established Church are contrary to the general creed, though there are some who are compelled to support it who consider their doctrines heretical, and the large majority consider that this taxing power to support religion is quite opposed to the great laws of the Statute-book of the Christian religion. But, independent of this, the tax of ministers' money in Scotland is greatly aggravated beyond the same impost in Ireland. In Ireland it was only dwelling-houses that were assessed. In Scotland neither shops, warehouses, nor cellars escape the ecclesiastical maw. In Ireland it could not exceed 55*s*. in any one case, with us it may reach £20, £30, or more. In Ireland there were no exemptions; in Edinburgh it is principally the tradesmen, the middle and the poorer ranks, that pay—the aristocracy escape, all who are members of the College of Justice, who are a large class, are exempt. And let it be kept in mind that the tax is in itself heavy, heavier than the income tax, even after it has been increased by the right hon. the Chancellor of the Exchequer. When you keep in mind that all this grievance and injustice has been saddled upon the people by two Acts, the one passed in times when persecution was rampant, and by a monarch who was more intent on his unhallowed pleasures than the welfare of his country, and by a clause surreptitiously smuggled into a private Bill—I say when they think of these things, is it to be wondered at if the citizens of Edinburgh wince under the lash? For some time there has been a lull. This I account for by the circumstance that this House has been annoyed from year to year by Bills upon this subject, and the inhabitants trust that Parliament will, as it ought, relieve them from this intolerable grievance; and, on the other hand, the ministers abstain from extreme measures lest they should injure their cause in this House. The volcano is at present at rest, but it is still burning within, and may burst forth at any moment. In 1833, no less than 846 persons were prosecuted, many had their goods destrained, and five were imprisoned. I have myself seen the most disgraceful scenes in the streets of Edinburgh, the military and dragoons parading the streets, assisting the auctioneer to sell the goods of a tradesman to pay the stipends of the ministers. Not long ago I had a letter from a citizen, enclosing resolutions of an association to refuse payment of the tax, and that more than 500 had come under an engagement to resist. Under such circumstances I ask again if the inhabitants of Edinburgh are not justified in claiming —in demanding relief from Parliament? But oh, say you, what substitute do you provide for this tax? It is not our business to provide for the Establishment. If you want an Establishment provide for it. But we were desirous to find some substitute, and I conscientiously believe that what we have proposed is both a legitimate and a sufficient substitute. But we are not wedded to it. If you can find a better we will not object. When this question was last before the House, various objections were brought against the measure, which I had not time to answer, although I was anxious to do so. As I shall have some time to day, I will take the opportunity of noticing one or two of the errors which have been fallen into. One of these was that large grants of lands and teinds were made to Edinburgh for the purpose of maintaining the ministers. Now I had an opportuity of searching the city records and seeing the charters, and I found that all that the burgh received was quite trifling. It was granted for three purposes—the maintenance of the poor, the establishing schools and colleges, and supporting the ministers, as, in consequence of the depreciation of money, by which the pound Scotch was reduced to 1*d.* sterling, the whole amounted only to £200 or £300, which the magistrates very properly devoted to the University. It has been said the tax is not personal, but a tax on property. The hon. Member for Wigtown completely proved this to be a personal tax in his speech when this measure was before the House last Session. When it is recollected that by the Act imposing the tax, it is expressly declared that only tenants shall be liable, but proprietors and heritors shall be exempt; when we take into account that the most distinguished political economists have maintained that rent is a personal tax; when we see that certain persons are liable and certain persons are exempt—it is very like nonsense to say that it is a tax on property. Then as to the tax being the same as teinds, in Scotland at least: teinds at the Reformation became the property of the Crown, which were partly gifted to the favourites of the King or sold to the proprietors, with the reservation that a certain portion was to be set aside for the maintenance of the clergy. The teinds never belonged to the proprietors, they only held them in trust. Mr. Black then shortly referred to Leith, and showed that the £2,000 was the property of the city, which the inhabitants of Leith had no more right to than the inhabitants of Dalkeith. He said there were several other subjects to which he would have alluded, but he was unwilling to take up too much of the time of the House; and, alluding to Lord Elcho, he said there was one which was a hobby of the noble Lord's, which, he said, if he set it in motion he was afraid the noble Lord would get up and ride. [Lord ELCHO: Go on.] Well then (continued Mr. Black) the noble Lord formerly brought forward this question and the not rebuilding of the church as a reason for voting against the Bill. Now, I maintain that it should have had a contrary tendency; for the Town Council, as representing the community, which consists of four-fifths of dissenters, and naturally consists of a great majority of those who feel aggrieved by this tax, have sometimes a hostile feeling to the Church. I want to relieve the Church from the Corporation, which are like two dogs tied together, which want to go different ways. Mr. Black then referred to the speeches of the late Lord Advocate Baillie and the late Home Secretary, and said he knew them both to be sincere and honest men, and had no doubt that if the late Ministry had been in power they would have brought in a Bill to settle this question. He trusted the present would not be less liberal than the last Government, and that they would support the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BLACKBURN said, he did not rise to propose the actual rejection of the Bill, but to ask what were the intentions of the Government with respect to it. The Bill proposed to accomplish three objects. To the first of these, which related to local arrangements in the town of Montrose, there could be no objection. The second of its propositions, which he believed to be objectionable, continued the payment of the tax by the town of Leith for the benefit of the clergy of Edinburgh. But the third, which was the vital principle of the Bill, was the entire disendowment of the Established Church of Scotland, so far as the town of Edinburgh was concerned. The argument of the hon. Gentleman was, that those who wanted a church should pay for it. This was, in fact, an assertion of the voluntary principle, and he wished to know if the Government were prepared to concur in that doctrine? If the principle was good for Edinburgh, it was good for the whole of Scotland; and if it was good for Scotland, it was good for the rest of the United Kingdom. It was therefore most important that the Government should declare their intentions on the subject, and whether they were prepared to give their sanction to a measure, the object of which was of the character which he had described. If the Bill had provided any proper substitute for the annuity tax instead of the voluntary system, no doubt it would be accepted unanimously by the House.

SIR GEORGE LEWIS said, that this was by no means a new proposition, and former Governments of which he had been a Member had agreed to the principle of a Bill similar to that contained in the present measure. The difficulty had always been to find a substitute for this tax; but that, he thought, it was not impossible to accomplish. There was a great similarity between the annuity tax and ministers' money in certain parishes in Ireland, and he confessed that he had no hesitation in giving his assent to the principle contained in the present Bill. He thought it desirable that this limited and local impost should cease. At the same time the introducer of the present measure did not propose the total and immediate abolition of the annuity tax, but reserved existing interests. In giving his vote for the second reading of the Bill, he wished simply to signify his assent to the abolition of the annuity tax in its present form, and to express his desire, in the event of the Bill not passing during the present Session, that it might be in the power of the Government in the next Session to propose some plan—not exactly in accordance with schemes which had been previously proposed, and which had not received the assent of Parliament —but some plan establishing, though not an equivalent, a substantial substitute for the present tax. The statement he now made was a *bonâ fide* statement, founded on a consideration of the details of the question, and in the event of the present Government being in office next Session, and the Bill now under consideration not going through all its stages in this Session of Parliament, the Government would then bring forward a measure founded on the principle he had described of providing the required substitute, and so settling the question on equitable grounds.

LORD ELCHO said, that it was with no small curiosity he desired to hear in what way the Government intended to deal with this question; and the course which the Government seemed inclined to take was, in the event of a division, to vote for the present Bill, simply to affirm, as it was represented, that this was a question which ought to be settled. He concurred in the opinion that the question called loudly for settlement; but the principle in the present Bill was dangerous, and no one in favour of a Church Establishment, as he was, could allow the Bill to pass a second reading without opposition. The annuity tax was a question which had been unceasingly agitated in Scotland for a long series of years; it had been the subject of repeated inquiries and reports by Committees and Commissions, and it had long formed the stock-in-trade of the Liberal members from Scotland, and especially of the Members for Edinburgh. His hon. Friend brought the measure forward year after year; wrote columns about it in the local papers, and discussed it in frequent speeches. The theme might be a valuable and legitimate one for his hon. Friend in his private capacity, but he doubted whether it was one which he could thus incessantly press upon Parliament in his public character. The question had frequently been presented in the form of a legislative measure. When he (Lord Elcho) was in office in 1853, a Bill was introduced, though it never reached a second reading, having for its object the settlement of the question. By that Bill the annuity tax was reduced in amount, and he believed that many of those who objected to the tax on the allegation of conscientious scruples would have supported that Bill, which, though it diminished the amount of tax, did not affect the matter of conscience. That Bill, like all preceding Bills up to the present year, was founded on compromise, in accordance with the Report of the Select Committee of 1851; but the spirit in which the present Bill had been drawn might be learnt from the speech of the hon. Member for Edinburgh, who distinctly stated that he objected to the grievance of a Church Establishment. That, indeed, was the principle of the hon. Member's Bill, and on these grounds, and these grounds only, though anxious for a compromise on the question, he felt bound to resist the second reading. It was said that this question was analogous to the question of ministers' money in Ireland. He admitted the analogy; but the mode in which it was proposed to deal with the annuity tax was antagonistic to the mode in which ministers' money was dealt with; for in the latter case a substitute was found, and provision was made for the Irish clergy out of the funds in the hands of the Ecclesiastical Commissioners. It was also alleged that this was neither more nor less than a Scotch church-rate question. He denied that altogether. The annuity tax was a fund established by statutory enactment—it was a compulsory payment; whereas the church rate might be termed a voluntary rate, as it depended on the decision of the majority of the parishioners. The fact was that the annuity tax was analogous to tithes; and what the Bill proposed to do was to deprive the clergy of the Established Church of Scotland, so far as Edinburgh was concerned, of the fund by which they were at present maintained without proposing any substitute. Were hon. Members prepared to abolish tithes? Let them reflect what they were asked to do with respect to Scotland might react on England. In 1849 Sir John Shaw Lefevre, who was sent down to Scotland to report upon the annuity tax, stated:—

> "Although the impost complained of is a tax, and not a rentcharge vested in the ministers as an endowment, yet it is a tax which the State has guaranteed to the ministers and their successors for their benefit, and, unless the rights even of their successors are dealt with in a spirit of justice and moderation, a feeling of distrust and insecurity will be created as respects other endowments, which will not be limited to the Established Church of Scotland."

The hon. Member proposed that in lieu of this tax the clergy should rely on the letting of pews. If that were not the voluntary system, he should like to hear explained what the voluntary system really was? It was likewise proposed that the clergy of the Church of Scotland should be supported by the collections now made at the church doors for the support of the poor. Thus the hon. Member not only asked the House to sap the foundation on which an Established Church rested, but in the same Bill he also proposed that they should plunder the poor. He trusted that the House would not sanction such a proposal. It appeared that the Government were rather unfortunate on Wednesdays. Last Wednesday week they had to swallow the Endowed Schools Bill, forced down their throats at the point of the bayonet by the hon. Member for Birmingham. Last Wednesday they had to swallow the total abolition of church rates; and now, a Wednesday having come round again, they had to show whether they had any Conservatism left among them, and whether they would resist a Bill which contained a principle destructive to any Church Establishment. He was anxious to see what course would be taken in the division by some of his right hon. Friends in the Cabinet. Were they prepared to vote for a Bill which contained the principle of the total abolition of an Established Church? But whatever the Government or individual Members might do, so strongly did he feel the necessity of maintaining the Church Establishment, that he for one could not consent to see the present measure dealt with in the manner proposed by the Home Secretary. He thought that they would be wanting in their duty to their constituents, and to the Constitution—one of the main features of which was the maintenance of the Established Church—if they allowed the Bill to pass without opposition. He, therefore, moved as an Amendment, that the Bill be read a second time that day three months.

Mr. SPOONER seconded the Amendment.

Amendment proposed, "To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months."

Mr. W. MILLER supported the Amendment, stating that he had been instructed by the Provost and Burgesses of Leith to oppose the Bill by every means in his power. He denied that the clergy were open to the charge of having wrung their dues from the people by distraint. The hon. Member for Edinburgh (Mr. Black) professed great reverence for the law, but he had not paid these rates for two years, and his example had not been without its effect. If there was any ground for the complaints of the pressure of this tax they might easily be obviated to a considerable extent by removing these exemptions which were now possessed by members of the legal profession and other classes in Edinburgh.

Sir EDWARD COLEBROOKE said, that the time had arrived when the House must deal with this question with a view to settling it. Attempts at compromise had hitherto failed. He should be extremely glad if by some concessions on both sides the question could be settled; if, however, no such compromise could be effected, he would not be deterred by the taunt that he was sanctioning the voluntary principle from giving his support to this Bill. The tax was unequal in its incidence, and was open to all the objections against both Church Rates and the Established Church of Ireland. So long as it existed in its present form it would always be insecure; and it was time for the Legislature to interfere to put an end to the tax. The measure introduced in 1853 was highly objectionable, as merely shifting the burden to the Consolidated Fund. No benefit would result from reducing the tax and making its incidence more equal by extending it to all classes. This would only excite a more general opposition. Any attempt at compromise was hopeless; in a large city like Edinburgh, the voluntary system might safely be relied on for raising the few thousand pounds which were paid to the clergy of the Established Church. The experience of the Free Church and the Dissenting bodies proved that pew-rents were largely available for the support of the clergy.

MR. CUMMING BRUCE said, he had hoped to hear some proposal on the part of the Government for dealing with the subject to which he could have given his assent. He had, however, been greatly disappointed at the statement of the Home Secretary, who called upon them to affirm the principle of the Bill, which involved the entire abolition of the Established Church. He could not help thinking that the Cabinet had fallen into the trap laid for them last Session by the hon. Member when they were anxious to obtain votes to defeat the Reform Bill then before the House. He thought the straightforward course would have been that the Government should have accompanied their offer to introduce a Bill on this subject in the next Session with the condition that the present Bill should be withdrawn. By the course they had taken they had placed themselves in the position of giving their support to a measure which would have no practical result, promising themselves at the same time to introduce something which would be wholly different next year. The present Bill was in every way objectionable; but he could not condemn in language sufficiently strong the proposition by which it was sought to lay sweeping and sacrilegious hands on the funds collected at church doors for the poor. He gave his cordial support to the Amendment which had been proposed by the noble Lord.

MR. CAIRD protested against the accusation which had been made with regard to the Bill of his hon. Friend, that it involved a robbery of the Church and of the poor. At present the most wealthy classes in Edinburgh were altogether exempt from contributions to the support of the clergy of the Established Church, and he thought that exemption ought not to be maintained. Yet these persons were loudest in their denunciations of the measure. It had been said the effect of this Bill would be to rob the poor of Scotland; but they were now provided for by law, and being totally independent of the collections at the church doors, this Bill would not in the slightest degree affect their interests. He was glad to learn that the Government intended to take up this question, and he hoped they would settle it in a satisfactory manner.

THE LORD ADVOCATE saw no use in prolonging the discussion, as the Government had promised to take up the subject with the view of settling it. It was most desirable that an end should be put to this tax, in a manner which would involve no injustice to any of the parties whose interests were concerned; but the various attempts which had been made to settle the question since 1831 had proved unsuccessful. He was himself no advocate of the voluntary principle, and did not hold that Church Establishments were unscriptural; but the abolition of the annuity tax had been urged by many persons who were not adherents of the voluntary principle, or opposed to the principle of Church Establishments. The main question was, what equivalent should be substituted for the annuity tax, and he regretted that his noble Friend had not offered any suggestion on that point. The noble Lord seemed to think that the application of the seat-rents to the support of the clergy would be an acknowledgment of the voluntary principle; but that appeared to him to be a mistake. It was one thing to maintain the voluntary principle to the extent that no Establishments ought to exist, and it was another thing to exclude the voluntary principle altogether from a Church Establishment. What would have been the condition of that vast metropolis with regard to pastoral superintendence and the benefits of a Church Establishment if the voluntary principle had not been acted upon? As streets and squares were gradually built, churches were seen constantly rising in their midst, and were they supported by taxes or endowments? No; they depended mainly upon that voluntary principle to the application of which to the Established Church of Scotland his noble Friend objected. If he (the Lord Advocate) believed, as had been said, that this Bill involved anything hostile to the Established Church of Scotland, he, for one, would not give it his support; but he did not think there was a word in the Bill which justified such an objection. The question was, not as to the principle of the Bill, but whether his hon. Friend had or had not proffered a substitute adequate for the purpose, and he thought that was a very proper matter for consideration in Committee. His hon. Friend proposed that the tax should be retained during the lifetime of the present incumbents, and that did not, therefore, amount to its immediate abolition; but it was quite open to the friends of the Established Church to say that in their view a sufficient substitute was not proposed, and that subject deserved most careful consideration from the Government and the House. As the Bill could not be passed this Session, he would advise his hon. Friend to accept the proposal of the Government; and in the meantime it would be his (the Lord Advocate's) duty to consider the question with a view to a settlement which would be just to the inhabitants of Edinburgh on the one hand, and to the Established Church on the other.

Lord ELCHO explained that he had not objected to the application of the voluntary principle in any way in support of the Established Church; but he had complained that, according to this Bill, the churches of Edinburgh would in future be dependent upon the voluntary system.

Mr. NEWDEGATE said, the principle of the Bill was the unconditional abolition of the annuity tax, which had hitherto been appropriated to the maintenance of the clergy in Edinburgh. He, for one, must decline to vote for this abstraction of means that were not excessive, without some substitute. The Bill aimed at the very principle of an Established Church. He was far from saying that the voluntary system was not a proper system upon which the means of religious accommodation for the poor should be extended; but we all know this, that great as the extension of such accommodation was, and had been of late years, it was inadequate to the demands of the poor, and he was therefore strongly opposed to leaving the Church entirely dependent upon the casual and uncertain benevolence of individuals, instead of upon some fixed and assured means of support. By voting for this Bill Her Majesty's Government could not escape from this position; they accepted service under the hon. Member for Birmingham. Those who believed that the Church Establishment should be maintained out of public funds, and not left dependent upon casual charity, would vote against this Bill; and if the Government would take service under the hon. Member for Birmingham and the advocates of the voluntary principle, by voting in its favour, the country would take care that the Government wore a livery appropriate to that service. The hon. Member for Birmingham governed the Government, or at least those Members of it who wished to qualify that principle, and there was therefore no resource for those who maintained the principle of an Established Church but to adopt a course equally firm and unmistakeable. The country would be called on to say, would they support those who would abandon the means of support of religion, furnished by the law and by custom from public funds, or would they support those who would defend an Established Church, but who were ready at all times to consider a proposition for the abandonment of those means when an adequate substitute was provided.

The Lord Advocate

Mr. BAXTER hoped the hon. Member for Edinburgh would accede to the proposal of the Government, and abstain from proceeding further with his Bill that Session than the second reading. At the same time he had no confidence that any compromise would be effectual on the subject.

Mr. MURE thought that, the Government having promised to introduce a measure of their own next Session, the wiser course would be to allow that discussion at once to drop. There was no use, under such circumstances, in going to a division to affirm the principle of the Bill if there was to be no further progress.

Mr. BLACK said, he was quite willing to surrender his "stock-in-trade" in this question into the hands of the Goverment after his measure had been read a second time; but he trusted that the coming Bill of the Government would abolish the tax altogether.

Mr. BRIGHT said, they were told on high authority not to put their trust in princes. Let him advise the hon. Member for Edinburgh not to put his trust in Governments. This was just one of those questions which a Government never dealt with satisfactorily until it had been driven to the last extremity, and it was not clear that that extremity had in this case yet arrived. What had been their experience in regard to church rates? Ever since he had first sat in Parliament, now sixteen or seventeen years ago, they had had Governments proposing to settle that question; but they had never touched it except to make a complete mess of it, and to disgust both sides of the House with their attempts. The consequence was, the subject was now left in the hands of the hon. Member for Tavistock (Sir John Trelawny) just as it stood many years since; and that hon. Gentleman, and those who went honestly along with him for its principle, had alone any chance of passing a proper measure through the House. He would not, however, ask the hon. Member for Edinburgh to reject the suggestion now made to him, because the same course must probably have been taken after the second reading even if there had been no such recommendation from the Treasury bench. But the hon. Gentleman, between the present time and the next Session, had better not believe for a moment that the Government would bring in a Bill so satisfactory as the present one to those who were opposed to the annuity tax. Without in the least disputing the goodwill of the Home Secretary, there were difficulties in the way of a Government handling that matter which would not attach to the task if undertaken by the hon. Member for Edinburgh. When it came to be discussed in the Cabinet, and the Lord Advocate had to prepare a measure, there would be all sorts of schemes contrived for warding off the objections of those who wished to have some substitute for that tax, which would be hardly less obnoxious than the impost it superseded. That tax, like church rates, must be clean abolished; and therefore the hon. Member should stand on the principle of his Bill, relying on the support he had from the people of Edinburgh, as well as on the previous decisions of that House on the same subject, and also on the larger question of church rates. Without obstructing any honest effort on the part of the Home Secretary to settle this matter, the hon. Member would arrive more surely at his end by taking the straight line to his own object than by trusting to a Government.

MR. SOTHERON ESTCOURT said, the difficulty of finding a substitute for that tax was admitted on all sides, and it was impossible for any private Member to deal with that question effectually. As, therefore, the Government were ready to take the subject into their own hands, and to introduce a measure upon it early next Session, nothing could be gained by pressing the present Motion to a division. On the other hand, such a step might prejudice the prospect of a reasonable compromise when the subject came to be discussed in another year.

SIR GEORGE LEWIS in explanation, said, he had not asked the hon. Member for Edinburgh to withdraw his Bill. What he stated was, that he was prepared to vote for the second reading, and that the Government would be prepared, if in office next Session, to introduce a measure of their own which would propose a substitute, and that it would be for the House to decide whether they would prefer their measure of that of the hon. Member for Edinburgh. He wished also just to remark that there was a very wide distinction between church rates in England and the annuity tax in Edinburgh. The church rate was for the maintenance of the fabric of the church, the annuity tax for the stipend of the ministers.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 162; Noes 108: Majority 54.

List of the AYES.

Acton, Sir J. D.
Adam, W. P.
Agar-Ellis, hn. L. G. F.
Agnew, Sir A.
Alcock, T.
Andover, Visct.
Ashley, Lord
Ayrton, A. S.
Bagwell, J.
Bailey, C.
Baines, E.
Ball, E.
Bass, M. T.
Bazley, T.
Beamish, F. B.
Biggs, J.
Bonham-Carter, J.
Brady, J.
Brand, hon. H.
Bright, J.
Bristow, A. R.
Browne, Lord J. T.
Butler, C. S.
Buxton, C.
Byng, hon. G.
Caird, J.
Calthorpe, hon. F. H. W. G.
Cavendish, hon. W.
Clay, J.
Clinton, Lord R.
Clive, G.
Cobbett, J. M.
Cobden, R.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Collier, R. P.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, F.
Dalglish R.
Davie, Sir H. R. F.
Deasy, R.
Denison, hon. W.
Douglas, Sir C.
Duff, M. E. G.
Dunbar, Sir W.
Duncan, Visct.
Duncombe, T.
Dundas, F.
Dunkellin, Lord
Dunlop, A. M.
Dunne, M.
Dutton, hon. R. H.
Esmonde, J.
Ewart, W.
Ewing, H. E. C.
Fenwick, H.
Ferguson, Col.
Fermoy, Lord
Fox, W. J.
Freeland, H. W.
French, Col.
Gaskell, J. M.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gower, hon. F. L.
Greenwood, J.
Gregson, S.
Grey, R. W.
Gurney, S.
Hadfield, G.
Hanbury, R.
Handley, J.
Hankey, T.
Hardcastle, J. A.
Headlam, rt. hon. T. E.
Heneage, G. F.
Henley, Lord
Hennessy, J. P.
Hutt, W.
Ingham, R.
James, E.
Jervoise, Sir J. C.
Johnstone, Sir J.
Keating, Sir H. S.
Kershaw, J.
King, hon. P. J. L.
Kinglake, J. A.
Kingscote, Col.
Kinnaird, hon. A. F.
Knatchbull-Hugessen.
Laing, S.
Langton, W. H. G.
Lanigan, J.
Lawson, W.
Leatham, E. A.
Leatham, W. H.
Levinge, Sir R.
Lewis, rt. hon. Sir G. C.
Locke, John
Lowe, rt. hon. R.
Lyons, Dr.
Lysley, W. J.
M'Cann, J.
Maguire, J. F.
Martin, J.
Massey, W. N.
Matheson, A.
Merry, J.
Mitchell, T. A.
Mills, T.
Milnes, R. M.
Moncreiff, rt. hon. J.
Monson, hon. W. J.

Morris, D.
Noble, J. W.
O'Donoghoe, The
Ogilvy, Sir J.
Onslow, G.
Owen, Sir J.
Packe, G. H.
Paget, C.
Paxton, Sir J.
Pease, H.
Peel, Sir R.
Perry, Sir T. E.
Peto, Sir S. M.
Pilkington, J.
Pryse, E. L.
Proby, Lord
Robartes, T. J. A.
Russell, A.
St. Aubyn, J.
Salt, T.
Schenley, E. W. H.
Scholefield, W.
Scott, Sir W.
Seymour, H. D.
Shelley, Sir J. V.
Sheridan, R. B.
Smith, J. B.
Staniland, M.
Stansfield, J.
Steel, J.
Steuart, A.
Stuart, Lord J.
Sykes, Col. W. H.
Thornhill, W. P.
Tollemache, hon. F. J.
Turner, J. A.
Vivian, H. H.
Watkyns, Col. L.
Wemyss, J. H. E.
Western, S.
Whalley, G. H.
Wickham, H. W.
Willcox, B. M'G.
Williams, W.
Winnington, Sir T. E.
Wise, J. A.
Woods, H.

TELLERS.

Black, A.
Baxter, W. E.

List of the NOES.

Adderley, rt. hon. C. B.
Baring, T.
Barrow, W. H.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. W. P.
Blackburn, P.
Booth, Sir R. G.
Bridges, Sir B. W.
Bruce, Major C.
Buchanan, W.
Burghley, Lord
Burrell, Sir C. M.
Cartwright, Col.
Cecil, Lord R.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Codrington, Sir W.
Cole, hon. J. L.
Cross, R. A.
Cubitt, Mr. Ald.
Davison, R.
Deedes, W.
Du Cane, C.
Dunne, Col.
Du Pre, C. G.
East, Sir J. B.
Estcourt, rt. hn. T. H. S.
Fellowes, E.
Galway, Visct.
Gard, R. S.
Garnett, W. J.
Gordon, C. W.
Gore, J. R. O.
Gore, W. R. O.
Graham, Lord W.
Greaves, E.
Gray, Capt.
Grey de Wilton, Visct.
Hamilton, Lord C.
Hanbury, hon. Capt.
Hardy, G.
Heathcote, hon. G. H.
Henley, rt. hon. J. W.
Herbert, Col. P.
Hood, Sir A. A.
Hope, G. W.
Howes, E.
Hunt, G. W.
Ingestre, Visct.
Jervis, Capt.
Johnstone, J. J. H.
Joliffe, rt. hon. Sir W. G. H.
Kekewich, S. T.
Kelly, Sir F.
Lefroy, A.
Legh, W. J.
Lindsay, hon. Col.
Lovaine, Lord
Lowther, hon. Col.
Lyall, G.
Lygon, hon. F.
Mackie, J.
Manners, rt. hn. Lord J.
Mildmay, H. F.
Miller, T. J.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Morgan, hon. Major
Mundy, W.
Mure, rt. hon. D.
Newdegate, C. N.
Nicol, W.
Papillon, P. O.
Parker, Major W.
Paull, H.
Peel, rt. hon. Gen.
Pennant, hon. Col.
Potts, G.
Powys, P. L.
Quinn, P.
Ridley, Sir M. W.
Robertson, D.
Rogers, J. J.
Salt, T.
Selwyn, C. J.
Smith, M.
Smollett, P. B.
Spooner, R.
Stirling, W.
Stewart, Sir M. R. S.
Stuart, Major W.
Stracey, Sir H.
Taylor, Col.
Thynne, Lord E.
Torrens, R.
Upton, hon. Gen.
Vance, J.
Vandeleur, Col.
Vansittart, W.
Vernon, L. V.
Walcott, Admiral
Walpole, rt. hon. S. H.
Whiteside, rt. hon. J.
Whitmore, H.
Woodd, B. T.
Wyndham, Sir H.

TELLERS.

Elcho, Lord
Miller, W.

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for this day month.

WEIGHTS AND MEASURES.

SECOND READING.

Order for second reading read.

MR. JOHN LOCKE, in moving the second reading of the Bill said, it was almost entirely identical with that introduced in the last Session. He believed that the House would agree to all the propositions, except, perhaps, one which had been the subject of dissensions. The question of weights and measures was considered by a Select Committee of the House of Commons as long ago as 1834, and the result was a report in favour of corn being in future sold by measure with the test of weight per bushel. Measure or weight alone would be no test of value. A pound of feathers weighed as much as a pound of lead; and a pound of bad corn weighed the same as a pound of good. To afford the buyer a proper guarantee for quality as well as quantity the tests of measure and weight should be combined. For instance, if he gave an order for such a quantity of corn to weigh so many pounds per quarter, he there had quantity and quality combined. The first clause of the Bill, however, provided merely that corn should be sold by measure. The Acts for the purpose of the tithe commutation rent charge and the corn returns were all on the principle that corn should be sold by measure ; and the introduction of a new system of selling by weight would be attended with obvious inconvenience. From certain returns which had been laid before Parliament, it appeared that in 243 places corn was sold by the imperial bushel ; in 14 places by local measures ; and in 28 places by weight —the gross number of places being 285. Corn, therefore, being almost universally sold by measure, the object of the first clause was to remove the exceptions, and to enact that corn should everywhere be sold by the Imperial bushel, and not by any local or customary measure. In Scotland and in the north of England there was the boll, and there were also a considerable number of peculiar local measures, the use of which caused much inconvenience. There was no difference of opinion on this point—that if corn was to be sold by measure it should be the Imperial measure, and if by weight it should be the Imperial weight. The first clause of his Bill provided, then, that corn should be sold by the Imperial measure only; and he submitted that unless there were insuperable objections to selling by measure that clause carried out the intentions of all the Acts of Parliament that had ever been passed on the subject; whilst if the parties to a sale of corn chose to stipulate that the measure should be of a certain weight it might still be considered a sale by measure and the transaction would not be vitiated as a sale by measure in consequence of any such stipulation. The second clause of the Bill was intended to remove a very serious inconvenience. It enacted that models and copies of weights and measures should be reverified at certain fixed intervals. By the 5th of *Geo.* IV., c. 74, it was provided that models of the standard weights and measures should be deposited in each county, and by a subsequent Act, passed in the following reign, provision was made for their reverification at the Exchequer in London. But no provision was made for a repetition of the process of verification in future years, and the consequence was that all the weights and measures throughout the country had become very inaccurate; and upon referring to a return, which he himself had moved for, of all the fines which had been imposed upon persons for using false weights and measures, it would be seen that persons had been fined for the slightest deviations from models and copies of weights and measures which were themselves inaccurate and had never been re-verified since the passing of the Act. This, he contended, was a very serious grievance and injury to the parties concerned. It was impossible to say that they had been justly dealt with, and therefore he proposed that the models and copies should be re-verified within the period of three years for weights and six years for measures. He also proposed by another clause to inflict a penalty upon all persons who should knowingly make or sell false beams, scales, or balances, or false weights or measures; for, singularly enough, there was no power at present to restrain persons either from manufacturing false weights and measures or of vending them with impunity when made. They must not use them, but there was no law whatever to prevent their manufacture and sale. The penalty he proposed in this case was £10. The fourth clause provided that any person convicted of using false beams or scales, or false weights or measures, in the public streets, should be subjected to a penalty of £5, and it empowered inspectors, at all reasonable times, to examine all beams, scales, and balances, and all weights and measures used in any open ground or any public street or thoroughfare. At present the practice of selling by false weights in the public streets prevailed to an enormous extent; but his fourth clause, if adopted, would put a stop to it. The fifth clause empowered certain parties to provide correct beams and scales, and weights and measures, in all public markets, with the view of ascertaining at any moment whether business was carried on fairly or not; while the sixth enabled inspectors of markets to examine all packets and bottles exposed for sale, for the purpose of seeing whether they were of the right weight or measure. Such were the provisions of his Bill. The question as to the mode in which grain should be sold might be discussed in Committee, and he maintained that his measure embodied no principle which ought to induce the House to reject it at once.

MR. EDWIN JAMES seconded the Motion.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. CAIRD said, that the question of weights and measures was one of considerable importance and required great deliberation. It was in fact a question between the east and west of England, all buyers and sellers in the west and in Ireland being in favour of weight, and all in the east in favour of measure. At this late period of the Session it would be impossible to consider the question with that attention which it deserved, and, as the hon. Member for Drogheda (Mr. M'Cann) had withdrawn his Bill for the establishment of the system of weight, he thought that the present measure should be postponed also, in order that the two might be referred together to a Select Committee next Session. He moved as an Amendment, that the Bill should be read that day three months.

Amendment proposed to leave out the

word "now," and at the end of the Question to add the words "upon this day three months.'"

Question proposed, "That the word 'now,' stand part of the Question."

MR. HORSFALL thought that the hon. and learned Member for Southwark had not treated him fairly in moving the second reading of this Bill. The hon. and learned Gentleman had assured him that it was not his intention to move the adoption of the first clause—which would have made the Bill a mere Weights and Measures Bill—and upon that understanding he had told him that he had no objection to the Bill. If the hon. and learned Member was willing to withdraw this clause, he should not object to the other portions; but if the hon. and learned Member persisted in supporting that clause he should feel it his duty to vote for the Amendment.

MR. JOHN LOCKE explained that what he had stated to his hon. Friend was that if the first clause was generally dissented from by the House he was not anxious to press it, and that in such case the clause might be entirely dissevered from the remainder of the Bill.

MR. HORSFALL said, he had certainly taken a different view of the conversation. His hon. and learned Friend stated that it was not his intention to move the first clause; whereupon he (Mr. Horsfall) observed, "Then it becomes a mere Weights and Measures Bill, to which I have not the slightest objection." If, then, his hon. and learned Friend pressed the first clause he should certainly give his support to the Amendment. If, on the other hand, he consented to strike out the clause he would as cordially give his vote in favour of the remaining portion of the Bill, which he considered to be most essential for the regulation of the weights and measures of the country.

SIR GEORGE PECHELL suggested that advantage should be taken of the present Bill to vest the appointment of inspectors in the magistrates and council of each borough.

MR. HUNT said, they could hardly expect at that period of the Session to decide upon the relative merits of weight and measure without a Select Committee to inquire into the subject. As the only point of difference seemed to be upon the first clause he would suggest to his hon. and learned Friend (Mr. Locke) that he should consent to strike out that clause in Committee on the Bill, upon the understanding that the second reading should now be agreed to.

SIR JOHN SHELLEY also recommended his hon. and learned Friend to adopt this course. He thought there would then be no objection to the second reading. He hoped, however, that his hon. and learned Friend would give an undertaking to bring in next Session a Bill for the purpose of carrying out the object of the first clause, with a view to its being referred to a Select Committee.

MR. BALL said, that if the first clause were withdrawn the Bill would be useless, for that clause embodied the whole spirit of the measure.

MR. FINLAY thought it would be best to refer the measure to a Select Committee.

MR. HENLEY expressed the hope that the hon. and learned Member would consent to withdraw the first clause. The subject was one upon which great difference of opinion prevailed, and he thought it would be well if it were thoroughly investigated before a Select Committee. With regard to the other clauses of the Bill he approved generally of their principle, though they were at the same time susceptible of modification and improvement.

MR. G. CLIVE said, it was the opinion of the Government that the Bill should not be gone into, so far as the first clause was concerned, at any rate during the present Session. He had always understood his hon. and learned Friend (Mr. Locke) in the sense in which he had spoken that day; and if he would agree to expunge the first clause in Committee he would support the second reading of the Bill. One or two of the other clauses required modification; but that was a question for the Committee.

MR. BASS said, that the advocates of weights on the one hand and the advocates of measures on the other were so nearly divided in that House, that he did not look forward with any confidence to such a measure as the present being passed in consequence of the appointment of a Committee next year. He did not think that the proposed Committee would be able to adjust their differences, nor did he believe that any more important or convincing evidence would be obtained by such a Committee than had been supplied by the Committee which sat upon the subject in the year 1834.

CAPTAIN LEICESTER VERNON, as a representative of a corn-growing county, begged to say one word upon the question which had arisen as between selling by weight and selling by measure. That question had been agitated at every fair and market in Berkshire, and by visiting those fairs and markets he had been enabled to ascertain what was the general feeling, whether in favour of weight or measure; and he must say that nine-tenths of the dealers in corn in that county were undoubtedly in favour of selling by measure. They said that if the object in view were the protection of the ignorant, then the ignorant would be better protected by the Imperial bushel than by weight, for if they bought by measure they would have the additional protection of weight, whereas if they bought by weight they could have no additional protection from measure.

MR. M'CANN said, that in *The Times* of Monday there was the report of sixteen market towns, out of which twelve had adopted uniformly and without pressure the mode of selling by weight. In London offers among the dealers were made on the principle of so many pounds to the bushel, while in Ireland they knew nothing about measure; the circulars always stated the number of pounds weight which would be given. He had purchased this year two cargoes of wheat which were sold and delivered to him at the rate of 504lbs a quarter. In Liverpool, in Glasgow, and universally in Ireland, nothing whatever was heard about measure in the sale of corn. If this matter were left to itself it would turn out that in a few months there would be no corn whatever sold except by weight. At the present moment he was told that the horsekeepers of London invariably purchased oats at 40lb. weight for the bushel, and at 320lb. weight for the quarter, without any reference whatever to the bushel of measure. He wished that grain should be sold by the pound weight and its multiples, because that was a progressive system adopted by seven-tenths of the British empire, while the system of measurement was a retrogressive one. He had withdrawn the Bill which he had introduced, believing that a Committee was necessary, and seeing that there was no time for inquiry this year; but he strongly advocated a uniform system, this being the only country in Europe in which there was no uniformity in the sale of the article of food.

MR. ADDERLEY hoped that the hon. and learned Gentleman would consent to withdraw not only the first clause, but the Bill altogether. A legitimate subject for legislation might be found in the present ambiguous use of the terms "bushel" and "pound," and an attempt might very properly be made to enact that the bushel in use should everywhere mean a definite measure and a pound a definite weight. He was sure the hon. and learned Gentleman would best reach his object by withdrawing the present measure and introducing a new one free from the defects of the present one in the course of the next Session.

MR. BRADY did not see what was the use of reading this Bill a second time if the first clause was afterwards to be withdrawn. He knew that the Bill would prove injurious to the people of Ireland, because there corn was universally sold by weight, and even in this country purchasers judged of the value of corn by its weight, though nominally they bought by measure. He hoped the hon. and learned Member would withdraw his Bill.

MR. JOHN LOCKE said, that it would be perfectly easy to withdraw the first clause, and pass the rest of the Bill. If the hon. Gentleman wished him (Mr. Locke) to introduce a Bill for enforcing the use of the Imperial measure throughout the country, he could only say he must decline to attempt such a task. The hon. Gentleman who undertook it would next have the bottle question about his ears, he would then be assailed by the fruiterers with their fruit meters, and he questioned whether he would ever enjoy a quiet night afterwards. Another hon. Gentleman had argued entirely in his (Mr. Locke's) favour. All he contended for was, that corn should be sold by the quarter, consisting of bushels each weighing 63lbs. If the hon. Gentleman would consent to the second reading, he (Mr. Locke) would undertake to withdraw the first clause in Committee.

MR. CAIRD said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°, and *committed* for *Tuesday* next.

DIPLOMATIC PENSIONS BILL.

SECOND READING.

Order for Second Reading read.

MR. MONCKTON MILNES, in rising to move the Second Reading of this Bill, said, it had long been felt as a grievance that while gentlemen who had earned pensions as members of the Government or of the military and naval professions might sit in that House, there should be a doubt whether diplomatists who had done good service to their country were able to give the House the advantage of their talents and experience. Questions of foreign policy were every day leaving the secret councils of Downing Street, and becoming more and more matters of general discussion and interest; diplomacy was ceasing to be a craft, and men were beginning to see that it was very little more than the application of common sense to our relations with foreign countries. He thought, therefore, it was ill-advised to exclude certain persons from the House of Commons simply because they were receiving the due reward of long diplomatic service. Such men were peculiarly fitted to be Members of the House; and on the other hand it would be for the advantage of the diplomatic service itself that they should sit there. Living continually abroad, and being little mixed up with the affairs of their native country, our diplomatists often became, to a great extent, estranged from the common feelings and interests of their countrymen, and with the best will in the world they sometimes came to conclusions very antagonistic to those arrived at here. Nothing would more effectually counteract that evil than that those gentlemen should be allowed the hope of possessing a seat in the House of Commons. Both parties would be gainers, and no injury, he conceived, would result to the constitutional principles which regulated the composition of the House. He should be the last man to depreciate the value of the Act of Anne, which excluded persons holding pensions under favour of the Crown. It was only necessary to look to foreign countries to recognize the value of that measure in securing the independence of any Parliamentary system of Government. But he maintained that there was no reason for regarding these diplomatic pensions as held during pleasure. They were, he thought, on exactly the same footing as the pensions conferred on those who had held high office in the Government. Both were charged upon the Consolidated Fund; both were recognized as part of the just rewards earned by public service; and he could not see what right we had to draw any distinction between them. So far as official pensions were concerned, they were suspended so long as the persons holding them retained any office the emoluments of which were equal to the amount thus received; while diplomatic pensions were open to be done away with during the time in which the persons who were entitled to them were engaged in the performance of diplomatic service, or were in the receipt of any pay or salary whatsoever under the Crown. And what difference, he would ask, existed between those two separate classes of pensions? The only one was, he believed, that, while in the phraselogy of the Act of Parliament official pensions was conferred "for life," no such words were to be found in relation to diplomatic pensions. It was true that persons holding those pensions might be called upon by the Government of the day to undertake the performance of any duty which came within the scope of their profession; but it could not, he thought, be denied that, in the present state of public feeling, no Minister would be found to use his power in that respect with the view of influencing the conduct of the Members of that House. The same objection, indeed, might be urged against the eligibility of officers in the army and navy. So remote a contingency as that was, therefore, one which he regarded as unworthy of consideration; while the result of the existing law was to exclude from the lower branch of the Legislature such men as Sir Hamilton Seymour and Sir Henry Bulwer, who might, under other circumstances, be Members of the House of Commons, within whose walls he felt assured many hon. Members would be glad to welcome them. He trusted the question was one which would not be confounded with that larger one which embraced the civil service of the Crown, and that the House would not refuse their assent to a measure the operation of which would be to enable men capable of rendering great service in important discussions to take part in their deliberations.

Motion made, and Question proposed "That the Bill be now read a second time."

Mr. BAILLIE COCHRANE saw no good reason why members of the diplomatic profession, because they happened to be in the receipt of small pensions, should be excluded from a seat in the House of Commons, while, upon account of the peculiar information which they possessed, he thought their presence would be of great advantage in dealing with subjects of foreign policy. He therefore trusted the Bill would be carried, and that the hon. Gentleman would have the gratification of doing a substantial and graceful act of justice.

Mr. WILSON said, that the House

would see at once that this was a question rather for the House to decide than the Government. The original cause of the exclusion from a seat in that House of persons who held diplomatic pensions was founded in the jealousy which was entertained by the House of Commons of the influence of the Crown, in whose hands the granting these pensions out of the sum (£80,000) included in the Consolidated Fund for this purpose was placed. When the present state of feeling on the subject, however, was taken into consideration, he did not think the removal of a restriction which was based on the supposed existence of an influence which did not now practically exist was open to objection. The time for this jealousy on the part of the House had long passed away, and they might consider the question on larger grounds. He thought it could not be denied that no small advantage would be likely to result from the admission to the House of Commons of such men as those to meet whose case the Bill had been framed. There had been an instance in which a diplomatic servant of the Crown—now a noble Lord (Lord Stratford de Redcliffe)—in the enjoyment of a pension of £2,000 a year, had sacrificed that pension to obtain a seat in Parliament. It was, however, too much to suppose that similar sacrifices would very often be made. It must, however, be remembered, that the diplomatic pensions stood on a very different footing from the superannuated pensions regulated by Act of Parliament. But taking into account the great use of which hon. Members versed in diplomatic subjects were likely to be in the debates in that House, he was of opinion—and in saying so he believed he was expressing the views of the Government—that there was no objection to the passing the Bill under discussion.

SIR DE LACY EVANS thought that members of the military and naval professions were just as likely to be biased in favour of the Crown as those of the diplomatic service, and he could not see why a different rule should be applied to one body than prevailed with reference to the other.

MR. EDWIN JAMES said, he thought the right hon. Gentleman the Member for Devonport had laid down a perfectly constitutional view on this question. The Act of Queen Anne might have operated as a great safeguard in those times; but at this day public feeling had done away with the necessity of any such limitation as this. Let the House take the case of Indian retired Judges. They would be extremely sorry to dispense with the presence of the legal profession who had served in India, then why should they not admit also members of the diplomatic service? He thought the House was much indebted to the hon. Member for Pontefract for introducing this measure.

SIR WALTER FARQUHAR, as an old Member of the *corps diplomatique* thanked the hon. Member in their name for the justice he had done them in bringing forward this Bill, to which he heartily gave his support.

MR. KINNAIRD also supported the Bill, on the ground of the advantage which the discussions of this House would receive from the intelligence of diplomatic Members in all matters relating to foreign trade.

Bill read 2° and *committed* for *To-morrow.*

CHURCH RATES COMMUTATION BILL.

SECOND READING.

Order for Second Reading read.

MR. ALCOCK, in moving the second reading of the Bill, said, his object was to facilitate the voluntary commutation of church rates in the same way as tithes were commuted. He laid great stress on the voluntary arrangement of the church rates, for he was satisfied if it were not voluntarily done it would not be done at all. He proposed to have a body of Commissioners—he did not care how they were formed, he would suggest the Charity Commissioners—who should have power, whenever a parish called them in, to arbitrate in the matter, to look over the church-rate expenses of the parish, say for fifty years, to see what were the yearly expenses; to judge whether any of those expenses could be spared, too see in what state of repair the church was, and to determine, under all these circumstances, what the parish ought annually to provide for this purpose; and on the parish showing that they had provided a fund which would meet that demand in all time coming, the Commissioners should then have power to discharge the parish from the payment of church rates for ever. It might be said that the parishioners could form such a fund now. So they could, but then they had no assurance that church rates would not still be levied, and it was to prevent this from being done that he proposed his Bill, which he hoped the House would read a second time.

Motion made and Question proposed, "That the Bill be now read a second time."

MR. G. CLIVE did not say the Bill would not have afforded a way of getting out of the difficulties which had beset them for so many years, but he thought the House would hardly be inclined to consider such a proposition when they had already adopted the principle of total abolition. He hoped the hon. Gentleman would consent to withdraw the Bill, especially as, if even the principle was agreed to, it could not be passed this Session.

MR. ALCOCK proposed to adjourn the debate to Wednesday next.

MR. BAXTER looked upon the proposal as an attempt to settle by a compromise that which had been already settled by public opinion in a different manner. He objected to any adjournment of this measure, for he did not conceive that there would be found a sufficient number of members who would support to a successful issue the Bill. He should therefore move that it be read a second time that day three months.

Amendment proposed, "To leave out the word 'now,' and at the end of the Question to add the words 'upon this day three months.'"

Question proposed, "That the word 'now,' stand part of the Question."

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

CRIMINAL PROCEDURE BILL.

SECOND READING.

Order for Second Reading read.

MR. WHITESIDE in moving the second reading of this Bill which, he said, was one of a series of ten Bills which he had introduced for the purpose of amending the criminal law, said he was extremely desirous of learning the intention of the Government on this subject. The principle of one of the clauses in the Bill immediately before the House was that corruption of blood in cases of treason and forfeiture of goods in cases of felony should be abolished. In cases of felony when they hung a man, reluctantly, for committing a great crime, on what principle could they deprive the innocent family of the criminal of any property which he had in his possession at the time of the conviction? Surely, if they hanged the man who had made himself amenable to the law, that was enough without punishing his relatives for a crime in which they had taken no part, and the commission of which they could not prevent. He was not aware whether this law extended to other countries; but at all events, it was for an alteration on the side of humanity that he contended. If the Attorney General could not state the course which the Government intended to take in reference to criminal law reform he should most certainly take the opinion of the House on the Bill then before them, as well as upon the Offences against the Person Bill. The late Government had considered this matter, and the principle which was involved in one of his Bills was whether they ought not to abolish the punishment of death in those eight or ten cases in which it might be inflicted for offences which did not come within the definition of murder or treason. In his opinion, not only ought it to be abolished in all cases in which life was not taken away, but in cases in which it could be proved that there was no actual malice prepense. He could not understand constructive malice, like that which was alleged against a person who was tried for murder for shooting a man who had dressed himself up as a ghost in a white sheet and sallied forth to frighten the good people of Hammersmith. One man who, if not an actual believer in ghosts, at all events was not frightened at them, went out with a pistol, saw the ghost, shot at the ghost, and the ghost died. He argued, "If it be a ghost I may shoot at it, because I can do it no harm." That man was tried for murder, and the jury at the trial were very desirous to make it out manslaughter; but the Judge ruled that, by law, it was murder; and the jury, after some contest with the Judge, were obliged to return a verdict of guilty on the charge of murder. The man, however, was not executed, a pardon being granted. There was another kind of constructive murder in Ireland, which was not very intelligible. Suppose a man were to shoot at a duck in a farmer's yard, and in doing so killed a man, the law as it stood, said, that if he merely meant to shoot the duck out of sport his life should not be taken away; but if his object had been to appropriate the duck to his own use it was held that he was engaged in the commission of a felony, and ought to be hung for having killed a human being while so employed. He would abolish capital punishment in such a case as that, but not where a person went out with intent to kill one man, and by mistake or chance happened to kill another, because there the man went out with the intention to destroy human life. In the debate upon the Conspiracy to Murder Bill the distinction between the law of Ireland and England was plainly pointed out by the then Government, and Lord Palmerston wanted to assimilate the law so as to make the offence punishable by death in both countries; but that would have been legislating in a retrogressive spirit. He was told that if this Bill passed the punishment of death for 350 offences would cease, and statutes to that number be repealed. All he could say was that that would be a great improvement. If the Government was opposed to the principle of these Bills he would take the sense of the House upon the first one; but he hoped that instead of that the Government would themselves take the question up, and carry out this great amendment. If that were their wish he should willingly leave the Bills in their hands, but should closely watch the conduct of the Government in reference to this matter.

THE ATTORNEY GENERAL said, he had listened with surprise to the mixture of threat and persuasion by which the concluding observations of the right hon. Gentleman were characterized, and while he should be happy to have the right hon. Gentleman as an auxiliary, he could assure him he did not entertain the least fear of him as an opponent. After the many attempts which had been made to consolidate the criminal law, it was, he was ready to admit, high time that the question should be taken up, and taken up too by the Government of the day, who should be made responsible for dealing with it in a satisfactory manner. It would undoubtedly, therefore, be his duty—and he believed he had the sanction of the Government for saying so—to endeavour, in conjunction with his hon. and learned Friend the Solicitor General, to discharge through the medium of the Government the important task of putting the criminal law of this country on a sound and rational basis, a position in which it certainly did not at present stand. That work would be speedily under taken, and he trusted that the proofs that it had been pursued in an effective manner would be laid before Parliament at the commencement of next Session. With respect to the question of the corruption of blood, to which the right hon. and learned Gentleman alluded, he could only say that he was disposed to regard its present position as the result of feudal times, and as not now necessary to the efficient administration of justice. He also concurred with the right hon. and learned Gentleman in the general principle of its being desirable that the punishment of death should be dispensed with as far as possible, but in making that statement he must not be understood as pledging the Government to the adoption of any particular course. He should for the present content himself with assuring the House that the important subject to which the right hon. and learned Gentleman had called their attention should receive his serious consideration, and as a proof of his sincerity in the matter he might state that it was only that very morning he had had a conference with the Lord Chancellor with respect to the best mode to be adopted for digesting the statute and criminal law, both of England and Ireland, and he hoped that in accomplishing that arduous undertaking he should have the assistance of the right hon. and learned Gentleman.

MR. EDWIN JAMES said, that the country was much indebted to the Attorney General for the distinct and explicit statement he had made upon this important question, and also the right hon. and learned Gentlemen opposite for the interest he had always taken in it. It was essential that Government should itself deal with the question, and he strongly objected to its being referred to a Commission, because that very fact stifled law reform; for when in such a case law reform was urged, it was frequently said that the whole matter was being examined by a Commission. There were many points which should be immediately taken into consideration by the Government—such as giving power to the jury to view the ground where a murder had been committed, which was often very essential to a proper understanding of a case. In reference to the expediency of passing an Act to avoid the forfeiture of property in the case of felony, such a measure would be highly beneficial. The only effect of the present state of the law was to induce prisoners to make assignments of their property before their trial, and their unfortunate families were in consequence often deprived of their means of livelihood. He recollected a learned Judge sayin while on circuit that it had always puzzled him to know how a certain class of attorneys, not in a very respectable position got rich, and he had at length found out the reason, which was that they undertook to defend prisoners, and, having obtained assignments of their property, did all they could to procure their conviction.

Mr. WHITESIDE said, he should be happy to give the hon. and learned Attorney General any assistance in his power, but he could not give his assent to any measure which was opposed to the principle of the abolition of death punishment for all crimes short of murder and treason. He did not consider that copying the Statute-book was amending the law. If they merely copied and classified the statutes, that might relieve barristers of some labour, but it would be neither amending the law nor abridging the statutes. He was opposed to exceptional legislation in this matter for Ireland; and, indeed, if they assimilated the scale of punishment in the two countries, the necessity for exceptional legislation for that country would almost entirely cease.

Order *discharged.*

Bill *withdrawn*, as were also the following Bills:—Public Justice Offences Bill, Malicious Injuries Bill, Coinage Offences Bill, Personation Bill, Forgery Bill, Offences against the Person Bill, Larceny, &c., Bill, Criminal Writings Bill, Punishment Bill.

House adjourned at Ten minutes before Six o'clock.

* * *

HOUSE OF LORDS,

Thursday, July 21, 1859.

Minutes.] *Took the Oath.*—The Lord Fingall took the Oath prescribed by the Act 10th Geo. IV., to be taken by Peers professing the Roman Catholic Religion.

Public Bills.—1^a Newspapers, &c.; Chief Superintendent (China).

2^a Divorce Court.

3^a Public Health.

Royal Assent.—Clerk of the Council.

CHURCH PROPERTY.—THE ECCLESIASTICAL COMMISSIONERS.

PETITION.

Lord RAVENSWORTH *presented* a Petition from inhabitants of Tanfield, in the county of Durham, praying that measures be taken to oblige the Ecclesiastical Commissioners to admit local claims on Church Property. The Petitioners complanned of the spititual destitution of that and the adjoining county of Northumberland, especially in the thickly populated mining districts, and complained of the manner in which the surplus fund derived from the property of the Church in those districts was appropriated by the Ecclesiastical Commissioners. The noble Lord then asked the noble Earl the President of the Council, whether it was the intention of the Government to insert in the Bill now before the other House the two clauses which were in the similar Bill introduced by the late Government last Session, but which were omitted from the present Bill.

Earl GRANVILLE said, it was not the intention of the Government to move the introduction of these clauses.

Petition ordered to lie on the table.

COURT OF CHANCERY.

Lord BROUGHAM *presented* a petition from the Manchester Law Association, praying for a Committee of Inquiry into the present practice of the Court of Chancery. The petition complained of delay in the proceedings of that Court, which they ascribed principally to a want of judicial force, and they called for an increased number of Judges and registrars in that Court. In this view he (Lord Brougham) did not concur. His opinion had always been that there were, he would not say too many, but that there were quite enough to do the business of the Court; and he agreed with the dictum of Lord Denman, that it was a most dangerous thing to give Judges an impression that their number would be inreased when the business got into arrear, for that was the sure way to discourage active exertion on their part. The Petitioners likewise complained of the expense attendant on litigation in the Court of Chancery and of great delay in the taxation of costs, and they prayed their Lordships to refer these matters to a Select Committee. The House, however, had anticipated their wishes on this point, for acting on its advice, the Crown had appointed a Commission, which he hoped would be sitting next week.

COUNTY COURTS COMMITMENTS.

RETURN MOVED FOR.

Lord BROUGHAM said, he wished also to call their Lordships' attention to the question of the County Court commitments, which was a matter deserving of consideration, as well from the extent and variety of the interests which these local jurisdictions affected, (nearly 800,000 for near two millions of money, last year) as from the fact that the Judges in their decisions appeared to be guided by entirely different principles. He found that in one court the proportion of commitments to the number of suits was only one in 230, while in another it was one in 23; being exactly ten times the number. He begged to move an Address for Return of the Questions addressed to the County Court Judges on the subject of Commitments.

Motion *agreed to.*

BUSINESS OF THE HOUSE.—PRIVATE BILLS.

On the Motion of Lord REDESDALE it was

Resolved—That no Private Bill brought from the House of Commons shall be read a Second Time after Tuesday, the 2nd Day of August next:

That no Bill confirming any Provisional Order of the Board of Health, or authorizing any Inclosure of Lands under Special Report of the Inclosure Commissioners for England and Wales, or for confirming any Scheme of the Charity Commissioners for England and Wales, shall be read a Second Time after Tuesday, the 2nd Day of August next:

That when a Bill shall have passed this House with Amendments these Orders shall not apply to any new Bill sent up from the House of Commons which the Chairman of Committees shall report to the House is substantially the same as the Bill so amended:

DIVORCE COURT BILL.

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving the second reading of this Bill, said, the measure affected what might be considered the most important tribunal in this country, for its decisions bore especially upon the purity, and morality, and happiness of the homes of England. The Legislature had recently made a great alteration in the law as regarded the marriage tie. For 150 years, every man who was able to afford the expense of carrying a Bill through Parliament, if he could prove that adultery had been committed by his wife, was, he might say, entitled to a dissolution of marriage; for in the absence of any misconduct on the part of the husband, such a Bill invariably passed. But in this state of things great injustice was done to the middle and lower classes; for though they laboured under the same grievance, and had the same legal rights, they had no practical remedy. Notwithstanding the adultery of the wife, though accompanied by the grossest misconduct—though she might be living with another man, or even have contracted another marriage, the marriage tie remained unbroken; and the consequence very frequently was that the husband, thus deserted by his wife, made another marriage, became guilty of bigamy, and was liable to be transported. Their Lordships, in legislating on this subject, came to the resolution that when there had been adultery on the part of the wife, or on the part of the husband with certain aggravations, the Divorce Court which was at the same time established should have power to declare that the marriage should no longer continue. He believed that that law and that Court had worked most beneficially. The objection had been raised, that those who had hitherto resorted to it chiefly belonged to the lower orders; but that, in his opinion, proved its beneficial effects, because it was with them the grievance existed, and it was for them the remedy was mainly intended. Some amendments had, however, become necessary, in order to render the Court more efficient. In the first place, the judicial strength of the Court was not competent to do all the business that was brought before it. It had been suggested that the most obvious remedy for this was to appoint new Judges, to be employed exclusively in this Court. It might possibly become necessary to have recourse to this remedy; but, in the meantime, he thought it would be premature. To make new Judges without necessity was a great evil, and they ought not to make more without strong proof that they were called for. He had had the honour to sit several times in this Court, and he could assure their Lordships that the great majority of cases which he had to try were not of recent origin, some of them extending as far back as fifteen or twenty years, when no remedy could be obtained. They could not yet say what would be the amount of steady business in the Court. That being the case, he proposed that, instead of appointing new Judges, all the Judges of the Superior Courts in Westminster Hall should become Judges in this Court, and act in it according to rotation. As the Court was originally constituted there were only eight Judges; but he proposed that all the puisne Judges should act, which would raise the number to seventeen. It had been suggested that all the ex-Chancellors—of whom he knew not how soon he might be one—should also devote themselves to the official business of the Divorce Court; but he did not think there would be any propriety in adopting that suggestion, as they were fully occupied in attending to the judicial business of the House of Lords. Various valuable proposals had been made by noble and learned friends of his which referred rather to matter of procedure than of law, and he was of opinion that all these subjects would be better left to be dealt with at the discretion of the Judges by means of rules and regulations than by statutory enactment. Among these was the recommendation (which he was much inclined to favour) that the petition for a dissolution of marriage should contain a detailed statement of all that had taken place from the union of the parties to the time of its presentation. One clause had been introduced for the sake of public decency. In Scotland, in France, and he believed in all other countries, tribunals similar to this had power to sit with closed doors; but he understood that his right hon. Friend the Judge Ordinary was of opinion that he had no power to do so without the consent of the parties. He had, therefore, inserted in this Bill a clause providing that, whenever the Court thought that the claims of decency required it, it might sit with closed doors. At present the Court could not, subsequent to granting a decree of separation, make any order as to the custody or the management of the children. The only mode of having them cared for was by means of the expensive and dilatory process of making them wards in Chancery. He, therefore, proposed in this Bill to give the Court power from time to time to make any order with respect to the management of the children. The only other enactment was the result of the suggestion made by his noble and learned Friend (Lord Brougham), that in order to avoid the danger of collusion the Court should have power to call in the assistance of the Attorney General to represent the public. In accordance with that recommendation, he sought to provide by this Bill that the Attorney General should be served with a notice of every petition. He would thus have an opportunity of instituting inquiries, and, if he thought it necessary, of being present at the hearing. The Bill contained nothing with reference to Ireland. He understood that the Irish people would not receive favourably a provision enabling them, if they thought fit, to avail themselves of this Court; and he did not think that it would be wise to establish a similar Court in that country until the experiment had been thoroughly tried in England.

Moved, That the Bill be now read 2^a.

LORD BROUGHAM agreed with his noble and learned Friend as to the expediency of not confounding matters which were fit subjects to be dealt with by rules of Court with those which required to be dealt with by Parliamentary enactments. He agreed with his noble and learned Friend that the law and the Court had in great measure fulfilled the expectation of its advocates; and no time should be lost in making it as perfect as possible. He also entirely concurred with him as to the undesirability of creating additional permanent Judges for this Court. With regard to the prevention of collusion, he was of opinion that it was essential that in all cases of dissolution of marriage the party applying for the divorce should be examined, and that the other parties should be competent to be examined but not compelled.

LORD CHELMSFORD said, he was not disposed to offer any opposition to the second reading of this Bill, though he did not think that it would be of particular advantage to the public, as it would not have any effect in relieving the Court from the difficulty it now experienced in finding Judges. That difficulty was attributable to the onerous duties which the Judges had to perform, and to their consequent inability to give their attention to this Court; but enlarging the area of choice so as to include all the Judges as well as the chiefs and the senior puisnes, would give no relief, since there was no particular difference in the pressure of their engagements. The Court ought to be established on a separate and independent basis; for it was very injurious to its efficiency to rely upon Judges not connected in any way with it, not interested in its proceedings, and taken away from their own Courts for the discharge of a mere temporary duty. He was fully aware of the difficulty of obtaining a full Court, for when he was Lord Chancellor he was applied to to assist the Judge Ordinary in making a full Court, most of the Judges being so much occupied by their own Courts that they could not attend the Divorce Court without neglecting other duties. The object of the present Bill was to obtain a full Court by extending the power of sitting to all the puisne Judges of the Common Law Courts. One disadvantage of this provision would be that the puisne Judges of other Courts would be the superiors of the Judge Ordinary in his own Court; and that learned personage, who was the very life and soul of the Court, would be reduced to a cipher. He must be permitted to say that the provision to prevent collusion would be a complete failure. The noble and learned Lord on the woolsack, who had been Attorney General for many years, must know that it was quite impossible for the Attorney General now to go through all the duties imposed upon him, much less to undertake a new one. How was the Attorney General to ascertain whether there was collusion or not? Was he to summon the parties—or to examine the witnesses and enter into a complete judicial proceeding? If it was answered that the parties must bear the expense, he would ask, which party? Supposing there turned out to be no collusion, it would be very hard to charge the parties with the expense of this preliminary proceeding, and much harder to charge the public. In the case of patents the public were interested in a patent not being unnecessarily extended, and it was quite right therefore that the Attorney General should watch each case on their behalf; but the public had no such interest in these divorce cases, they were only interested in the detection of collusion as it affected public morality. He thought that any attempt to appoint an officer or establish a tribunal to undertake the difficult task of detecting collusion in matters of this nature would be a total failure. He agreed in the propriety of the provisions of the Bill, and felt it to be an improvement on the existing system.

LORD CRANWORTH thought it had become perfectly clear that it was necessary to give some assistance to the present constitution of the Court, which did not proceed with that celerity which might be looked for. He very much doubted, however, whether what was now proposed would be sufficient for the purpose; but he entirely concurred with his noble and learned Friend on the woolsack that an endeavour ought to be made to supply the defect without the creation of new Judges. His noble and learned Friend had taken a very proper course in enlarging the area from which the Court might call for judicial aid. He agreed with the noble and learned Lord (Lord Chelmsford) that the clause as to the Attorney General, he believed, would have no effect but that of creating unnecessary expense. The best mode of preventing collusion, he thought, would be to make in the first instance a decree *nisi*, and then to issue notices to the neighbourhood in which the parties lived, so as to afford any person who was aware of any collusion between the parties an opportunity of coming before the Court before a final decree was pronounced.

LORD REDESDALE said he thought it of the greatest importance to give to the Court a new Judge or new Judges, so as to make it a distinct and independent tribunal. Such an arrangement would manifestly contribute to ensure uniformity in the decisions of the Court, and more strictness in its mode of procedure. The frequent change in the Judges which was proposed in the present measure would lead to great laxity in ruling the principle on which divorces should be granted. With regard to the provisions for the Court sitting *foribus clausis*, the noble and learned Lord on the woolsack had stated that the object of that clause was to enable the Court to sit with closed doors whenever decency might appear to require it. He (Lord Redesdale) objected to the principle, but if it was to be admitted, there were other cases in which he thought the Court should have the power of sitting with closed doors. Where a judicial separation was sought for it might be sometimes advantageous, not from any feeling of decency, but from the fact that the parties might afterwards be reconciled, that the grounds on which a judicial separation was asked for should not be stated in public. He never heard that it was necessary in the case of actions for damages as a preliminary to a divorce that the Court should sit with closed doors. The suggestion that this Court should sit with closed doors originated perhaps in the belief that the public were becoming disgusted with the working of the Court. He thought that the working of the Court should be fully tested, in order that a sound judgment might be formed upon the Act by which it was established. He was sure that there was in the minds of a large number of persons in this country a very strong doubt as to the advantages arising from the establishment of this Court, and he thought it was extremely desirable that as far as possible the proceedings with regard to divorce *a mensâ et thoro* should be carried on in the most public manner. Their Lordships had by this Court been relieved from the disagreeable duty of dealing with the divorce cases in England, and there was no reason why they should not also be relieved from the cases of divorce that came from Ireland. If it was not expedient to establish a Divorce Court in Ireland, why should not this Court, instead of their Lordships, deal with the Irish cases of divorce? He hoped their Lordships would not object to the insertion of a clause in the Bill to the same effect as that of last year, extending the jurisdiction of the Court to cases from Ireland.

THE EARL OF WICKLOW very much regretted that the noble and learned Lord was not disposed to allow Irishmen to have the benefit of this Court. In his opinion their Lordships ought not to allow the present anomalous state of the law to continue, but they ought to abolish it, either by introducing a bill for Ireland or by inserting a clause in this Bill to enable the Irish people to resort to the English Court. The great majority of the people of Ireland were Roman Catholic, and they would prefer having no special Act for Ireland. On the other hand, the Protestants of that country ought to be placed on the same footing as their brethren on this side of the Channel. Why should there be a union of the two countries if, Session after Session, Bills were introduced which applied only to one portion of the empire? He believed that one of the best provisions in the present Act was that which directed that full publicity should be given to all the proceedings of the Court, for he believed that the knowledge of this publicity would have a salutary influence in checking those deeds which brought persons within the operation of the Court. He was no advocate for any measure of divorce, for he believed it was in itself highly objectionable, and against the law of Christianity; but, as divorce was now the law of the land, he should be glad to see that law made to work in the best manner possible.

THE EARL OF DONOUGHMORE thought that though the Court would be useless to the majority of the population of Ireland, the Catholic Church not admitting a dissolution of marriage, it would be fair to extend to the Protestants of Ireland the same legal remedy that had been provided in England. He therefore called upon the Government to say whether they would bring in a special Bill for Ireland, or insert a sufficient clause in this Bill. He believed that the clause in the Bill for the prevention of collusion would fail. The probability was that the Attorney General would appoint some barrister specially to attend to the business. There would be a certain amount of fees to be paid to the Attorney General, and to his assistant, and that would be the whole result. When it was considered that the object of the measure was to prevent a crying abuse—namely, that the power of separating from an adulterous woman should be confined to the rich, and not extend to the middle and lower classes—they ought jealously to guard against any alteration of the law which would have the effect of increasing the expense; but if petitions for divorce were in the first instance to be laid before the Attorney General, the effect would certainly be a great increase of cost. He cordially desired to prevent collusion, but he hoped the noble and learned Lord on the woolsack would reconsider the matter, seeing that the clause was not likely to effect the object, and must lead to a considerable increase of expense.

THE MARQUESS OF CLANRICARDE said that with regard to the extension of the provisions of this measure to Ireland, the noble Earl who had just sat down had stated the real difficulty, which arose out of the religious feeling of the majority of the people of Ireland; and the minority should not require any alteration in the law if it could be avoided. But unfortunately the House was in this condition, that they must extend the law to Ireland; and he would advise the and noble learned Lord on the woolsack not to create a new tribunal, but as quietly as possible to allow the few cases of divorce in Ireland to come to the Court in this country. One reason why it was imperative on Parliament to take this matter up was, that the scandal of an action for criminal conversation was still retained in Ireland, and as the Standing Orders of that House still required such an action before a divorce Bill could be obtained, the extending of the jurisdiction of the new Court to Ireland was the only way to prevent the continuance of that action.

VISCOUNT DUNGANNON had always thought that the establishment of the Divorce Court would not produce any great public moral good, and he objected to any system which facilitated the dissolution of the marriage tie. But as the measure was now law, he thought it was something like injustice not to give the Protestants in Ireland the same privileges as those of England, and he could not understand why a clause should not be introduced into this

Bill to allow Irish suitors to come to the Court in this country. He agreed that it was not advisable to establish such a Court in Ireland, where the Roman Catholics, on special religious grounds, consider marriage altogether indissoluble. Although some good might perhaps have arisen from the Divorce Act, it was by no means unaccompanied with evil. He was doubtful as to proceeding with the hearing of certain causes with closed doors, which was contrary to the usual proceedings in the administration of British justice; but at the same time he admitted that there not unfrequently occurred cases in which it would be better, on the ground of public morality, if they were not made public.

Lord TEYNHAM deemed it a defect in the present law that the Full Court which had to pronounce on the dissolution of the marriage did not hear the previous evidence. In reference to the Attorney General interfering in the matter, there was the objection that that course would increase the expense when it was the intention to render the law accessible to all persons.

The LORD CHANCELLOR, in reply said, he was glad to find that none of their Lordships had thought it necessary to oppose the second reading of the Bill. He had no objection that Irish cases of divorce should be brought under the cognizance of the English Court, if it were thought desirable to adopt that course:—indeed he had prepared a clause giving the inhabitants of Ireland access to this Court; but, on showing it to some of his friends, they had warned him most strongly against introducing it, and told him that he would only raise a tempest which would overwhelm him, and that he would be in danger of losing his Bill. He would not therefore, propose a clause of that nature; but if any of their Lordships would assume the responsibility of doing so they would encounter no opposition on his part. His noble and learned Friend (Lord Brougham) had proposed that the co-respondent should be made a competent witness, and that he should be called and questioned as to whether he had been a party to any improper intimacy; but his experience had shown him that it was considered a point of honour for a man to shelter the partner of his guilt, and that consequently no faith whatever was to be placed on evidence of such a character. A case had once been tried before him in which it was sworn in the most positive manner, that no improper intimacy had taken place, and yet the evidence left no doubt whatever that there had been improper intimacy both before and after the marriage. The other noble and learned Lord (Lord Chelmsford) who had criticised the Bill with some severity, had proposed nothing, unless it were that the Judges of the Court should be permanent.

Lord CHELMSFORD said, he had stated most distinctly that he had no fixed idea on the subject.

The LORD CHANCELLOR said, that this was after all the real difficulty. If the nine puisne Judges had been competent to sit no embarrassment whatever would have been experienced. It was not proposed that the Attorney General should be called in in every case, but simply where it was desirable, and that there he should proceed under certain rules and regulations. The expense attendant on this course would be very small, and he believed the money would be well expended even if it had to be paid out of the revenue of the State. He had never been more surprised than to hear objections raised to the power of this Court to sit with closed doors. That was a power inherent in every civil Court and which was occasionally exercised with great advantage in particular cases, where it was considered that public decency would be shocked by publicity. Parties at each side often consented to a trial with closed doors, and he himself had sat in a case where that course was adopted about three months ago. All that was proposed by the Bill was that the Court should, on its own responsibility have the power, if it thought right to exercise it, of sitting with closed doors in cases where it was considered desirable; and he asked whether public morality had not been sufficiently scandalized by the reports in the public papers to justify such a proceeding. He should be most ready to attend to any amendments that might be submitted to his notice before the Bill was considered in Committee.

Motion *agreed to.*

Bill read 2^a accordingly and *committed* to a Committee of the whole House on *Thursday* next.

THE HARBOUR OF MALTA.

QUESTION.

The Earl of CARNARVON rose to

ask a Question as to the Arrangements now under Consideration by the Admiralty for the Re-distribution of the Harbours of Malta, and for the better Naval Protection of the Town. His Question had a twofold bearing. In the first place it related to the re-distribution of the harbour of Malta, as between the Queen's ships and those of the mercantile marine; and in the second, to the protection of the town and harbour. For many years the population of Valetta had been out-growing the accommodation afforded by the town; but that had been met by various measures: but in the harbour, where the means of relief were not so available, the difficulty of providing accommodation for the shipping had been more felt. The result was that on the one hand the Queen's ships took up more room for themselves than the harbour could afford, and on the other the commercial marine viewed with jealousy the encroachments of the Royal Navy. The accommodation for the mercantile marine had been reduced to one single creek in the harbour, and the result was disputes between them and the navy; and the disagreement had gone further, and caused disputes between the naval and military authorities and the commercial community. The irritation which existed would become chronic unless something was done to alter the present state of things. Next to Gibraltar we had no outpost so important as Malta, and although it was true that it was in many respects a garrison town, and must be regulated by military considerations, yet these considerations alone should not be allowed to have weight. Unless you meant to double the number of troops and add to the fortifications, you must put yourself in a position to rely on the support and good-will of the native population, which the existence of these subjects of irritation was calculated to weaken. In the beginning of the year a proposition was made that the whole of the harbour space should be re-distributed between the Royal Navy and the merchant service. It was proposed that the upper end where there was now a useless marsh, should be drained and dredged, and converted into a harbour for the merchant service, and that they should also have a portion of the quarantine harbour. The Royal Navy was to have all the creeks which indented the shores of the harbour. Owing to the change of Government this proposition could not be dealt with by the late Board of Admiralty. He impressed upon the First Lord of the Admiralty the propriety of at once looking into this matter. He did not say it was desirable that the £70,000 required should be put upon the Estimates this year, but whether the money was provided this year or not it would be well to come to a decision at once. The re-distribution of the harbour was intimately connected with the defences of the island, which were not in the condition which it was desirable they should be in, and he thought the speediest means possible should be taken for improving them. But before the entire plans for completing the works could be carried out it was necessary that these disputes must be settled.

The Duke of SOMERSET could assure the noble Earl that the subject to which he had called the attention of the House was one which would receive the best consideration of the Board of Admiralty. The real question at issue was, how the harbour of Malta was to be divided between the commercial marine and the navy. This, it was hoped, would be satisfactorily arranged by good management on both sides. With regard to the arrangement for carrying out the objects referred to by the noble Earl, he must remind him that neither in the Estimates, nor in the Supplementary Estimates for the present year, was any Vote proposed by the late Government for that purpose. The present Board of Admiralty having been so short a time in office, he could not take upon himself the responsibility of introducing into the Supplementary Estimates such a Vote, especially as the sum in question would not be less than £70,000. The subject was under the consideration of the Board, and he could assure the noble Earl that everything in their power would be done to complete the arrangements that were necessary.

Lord STRATFORD de REDCLIFFE, considering the importance and position of Malta, was glad to hear that this subject had been under the attention of the Government; but he would have been better pleased to hear that they had come to some decision regarding it. When they considered the present state of the world, and the importance of Malta, especially in connection with the East, the defences of that place must necessarily be a matter of the deepest interest. They were not to view this question as one merely affecting the accommodation of the trade of Malta and the navy, but as one connected with the question of our defences. He hoped, therefore, the subject would receive the most earnest attention of the Government,

THE DUKE OF NEWCASTLE said, that the matter alluded to necessarily occupied more than one Department of the Government; it occupied the attention of the Colonial, the War, and the Admiralty Departments. He begged to assure his noble Friend that in neither of those Departments had the subject been neglected. On the contrary it occupied the most serious and anxious attention of one and all. It was viewed, primarily, as regarded the defences; and, secondly, as regarded the convenience of all branches of the service —the navy on the one hand and the mercantile marine on the other.

House adjourned at half-past Seven o'clock, till To-morrow half-past Ten o'clock.

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HOUSE OF COMMONS,

Thursday, July 21, 1859.

MINUTES.] PUBLIC BILLS.—2° Ecclesiastical Commission; Consolidated Fund (£7,000,000); Pawnbrokers; Universities (Scotland).
3° Cambridge University Commission (Continuance); Criminal Justice Middlesex (Assistant Judge).

PUBLIC-HOUSES ACT (SCOTLAND).

QUESTION.

SIR WILLIAM SCOTT said, he would beg to ask the Secretary of State for the Home Department, whether the Commission for Inquiry into the Public-houses Act for Scotland is to be conducted in private, and, if so, what are the reasons that necessitate its being so conducted?

SIR GEORGE LEWIS said, he had communicated with the Commissioners on the subject, and he had received a written explanation from the Secretary, he had also had an interview with Sir George Clerk, the Chairman of the Commission. He understood that the Commissioners had come to no Resolution on the subject, but they had under consideration such arrangements as would be most conducive to the ends of the inquiry. On the one hand, they had to consider the interruption and expense which would be occasioned by the attendance of any large number of the public; and on the other, the desire which prevailed in Glasgow for the admission of the public; they would, however, he trusted, come to such a decision as would be most likely to facilitate the inquiry.

SIR EDWARD COLEBROOKE inquired whether the evidence would be reported from time to time so as to enable parties to apply to the statements made?

SIR GEORGE LEWIS said, it was impossible to say when the inquiry would be likely to terminate, as it had not as yet been commenced. It was proposed at present to admit the reporters and all properly appointed persons; but the public would receive due notice of the final arrangements come to.

SMITHFIELD MARKET.

QUESTION.

MR. KER SEYMER said, he wished to ask the Secretary of State for the Home Department whether it is the intention of Her Majesty's Government to adopt so much of the Site of Smithfield Market as reverts to the Crown for the enjoyment and recreation of the public? From the Report of the Commission of 1856 he inferred that there is some dispute as to whether a certain portion of the ground belonged to the Crown, and he wished to know whether any steps have been taken to bring that question to a decision.

SIR GEORGE LEWIS said, that the question had remained unsettled for a long and inconvenient period of time, and it was very desirable that it should be settled. A correspondence had taken place between the Treasury and the City with respect to the rights of the Crown over a portion of the Site, and he was able to state that the City had prepared a plan by which a considerable portion of the Site—the chief portion in fact—over which the claim of the Crown extended, would be dedicated to the enjoyment and recreation of the public. The plan also involved a portion of the ground belonging to the city.

MR. KER SEYMER: Does that plan include a Dead-meat Market.

SIR GEORGE LEWIS said, the plan in question involved a portion of the ground belonging to the City, and also a small portion of the site belonging to the Crown, which would be used as a Dead-meat Market.
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IRON STEAM FRIGATE.

QUESTION.

Mr. HUNT said, he wished to ask the Secretary to the Admiralty at what date the iron steam frigate contracted for by the Admiralty with the Thames Iron Company is to be delivered by that Company?

Lord CLARENCE PAGET said, that the iron steam frigate now building was, by the terms of the contract, to be launched in eleven months from the date of the contract, and completed for sea, with the exception of the masting, in three months afterwards.

OMNIBUS REGULATIONS AT HYDE PARK CORNER.—QUESTION.

Mr. BRADY said, he would beg to ask the Secretary of State for the Home Department if his attention has been directed to certain statements to the effect that the Police have directions not to allow Omnibus Conductors to take up passengers in front of Apsley House.

Sir GEORGE LEWIS in reply, read the explanation furnished to him by the Chief Commissioner of Police on the subject, which stated that the regulations to prevent obstructions at Hyde Park Corner were printed in July, 1858, and that they directed that no omnibus or cab should stop on the north side of the road between St. George's Hospital and Hamilton Place. By an order of June 17 in the present year the order was so far relaxed as to allow cabs to stop to set down or to take up fares in front of the railings of Apsley House. It was necessary to enforce that regulation to order to prevent obstructions to the traffic at that point, and consequently accidents. Similar regulations were made at Cumberland Gate and other crowded parts of the metropolis. There was no intention whatever to interfere with the convenience of individuals, but the regulations in question were adopted for the general advantage and security of the public.

PUBLIC MONIES.—QUESTION.

Mr. RIDLEY said, he wished to ask Mr. Chancellor of the Exchequer whether it is the intention of Her Majesty's Government to take any steps during the present Session to carry out the Recommendations of the Select Committee on Public monies, and more particularly with reference to the appointment of an annual Committee of this House to inquire into the expenditure of the monies voted by Parliament.

The CHANCELLOR of the EXCHEQUER replied, that it was not the intention of the Government to attempt during the present Session to take any measures for carrying into effect the recommendations of the Committee on Public Monies, but this decision did not arise from any disapproval of those recommendations, and more especially of the suggestion that a Committee should be appointed to inquire into the expenditure of monies voted by Parliament. He thought the adoption of that recommendation was, in fact, almost necessary to complete the discharge of the functions of the House of Commons with respect to the expenditure of public money; but he believed that it would not have been practicable at the time the Government acceded to office to appoint such a Committee with advantage, because the state of the previous arrangements in the various departments were not sufficiently advanced to enable the Committee to undertake the duties which would devolve upon them.

THE BARRACKS AT TRINIDAD.

QUESTION.

Sir DE LACY EVANS said, he rose to ask the Secretary of State for War whether the detachment of the 41st Regiment, which suffered so severely from sickness while quarted in the principal Barrack at Trinidad, has been withdrawn from that Colony; and whether that Barrack, which has been repeatedly reported as situated in an extremely unhealthy locality, has been finally ordered to be discontinued for the quartering of troops.

Mr. SIDNEY HERBERT said, the detachment of the 41st which had suffered so severely at Trinidad had been relieved, but of course that measure did not effect any improvement in a sanitary point of view, for one force was merely substituted for another. The right hon. and gallant Member who preceded him in office (General Peel) sent a detailed series of very minute queries to Trinidad with reference to the state of the barracks, but no reply to them had yet been received. In the meantime, he had written to Trinidad to ascertain what sites were available to which the men could at once be removed, and what healthy sites could be obtained for the erection of new barracks. He had also requested to be informed whether the present barracks could be sold to advantage, for he was sure the House would be of opinion that if the site of the barracks now used was so unhealthy that no improvement could be anticipated, the best plan would be to sacrifice them at once.

PRINTING OF THE ESTIMATES.

QUESTION.

MR. DARBY GRIFFITH said, he wished to ask the Secretary to the Treasury when Class 7 of the Estimates will be printed, and also why the Estimates were not all printed and presented together, in order that Members may be aware what business may be expected to come on during the Session?

MR. LAING said, he hoped that Class 7 of the Estimates would be in the hands of Members on Wednesday next. The reason why all the Estimates are not printed together appeared to him to be obvious. Some of the Miscellaneous Estimates, for example, embraced subjects of great variety, and involved matters of general detail. Those were necessarily kept back to the latest moment for consideration, and perhaps alteration. It would be a waste of valuable time if they delayed proceeding with one class of Estimates until the whole were ready.

ELECTION COMMITTEES.

QUESTION.

MR. PEACOCK said, he would beg to ask the Chairman of the Committee of Selection what course they propose to take with regard to Election Committees?

SIR FRANCIS BARING said, that considering the probable length of the Session and the state of public business, the General Committee of Elections thought it was not advisable to proceed further than they on that day proposed to go in fixing Election Committees. To prevent any mistake he could inform the House that Election Committees had been struck that day from panel No. 1. Another Committee would be struck to-morrow from the same panel. On the 26th and 27th July panel No. 2 would be taken, and Election Committees would be struck. On the 1st and 2nd August further Election Committees would be struck (*cries of* "From which panel?") He could only say that the Gentlemen who were placed on panels No. 4 and No. 5 might make themselves comfortable with the assurance that they would not be called upon to act in the present Session.

CHURCH RATES BILL.

QUESTION.

SIR JOHN TRELAWNY said, he wished to inquire if the Government were disposed to give a day for the discussion upon his Bill for the repeal of church rates?

SIR GEORGE LEWIS said, the Government would have no objection to appoint a morning sitting on Tuesday, to commence at twelve o'clock, for the purpose.

SIR JOHN TRELAWNY said, that arrangement would be quite satisfactory.

SUPPLY.

On the Motion for going into a Com mittee of Ways and Means,

ELECTION COMMITTEES.

OBSERVATIONS.

LORD ELCHO said, that before the Speaker left the Chair he wished to advert to what had fallen from the right hon. Baronet the Chairman of the Committee of Selection. The right hon. Gentleman had assured Members on panels 4 and 5 that they need not be under any alarm that they would be required to act on Election Committees this Session. He (Lord Elcho) could not help thinking that the same assurance might be given to the Gentlemen on panels 1, 2, and 3. He made the suggestion quite disinterestedly, as he was on panel 5, but he thought that no public good would arise from having Election Committees sitting before the separation of Parliament this Session. If he were rightly informed, there was no immediate necessity for them, and no expense would be saved by having them sitting before the prorogation. When Members were asked to take an oath to do justice in these election petitions, he doubted whether they could conscientiously say they would weigh the evidence cautiously and attentively when the Thames was in its present state, and the thermomoter 99° in the shade. The sitting of the Committees this Session might give rise to great inconvenience; for, supposing any of them had not finished its labours when the House rose, it would cease to sit. There was an impression abroad that they could sit during the recess; but he believed that was not the case, for if there happened to be a refractory witness, rendering an order of the Speaker and the presence of the Sergeant-at-Arms necessary, neither of them would be present to discharge their functions. He therefore humbly threw out the suggestion which he had made. ["Move, move!"] If it were the pleasure of the House, he would be ready to move that all the Election Committees be postponed; but he believed he could not do so without giving notice of the Motion. He would therefore now give notice that he would again call the attention of the House to this subject to-morrow.

Sir FRANCIS BARING said, that perhaps the noble Lord would allow him to suggest that before he made his Motion he would read the Act of Parliament.

Mr. G. W. HOPE, as one of the Members of the House whose return was petitioned against, protested against the suggestion of the noble Lord. The Committee in his (Mr. Hope's) case was appointed; inquiries had been made which induced him to believe that there was no good foundation for the petition, and he and other hon. Members in his position ought not to be kept in suspense.

REFORM OF THE CORPORATION OF LONDON BILL.

OBSERVATIONS.

Sir JOHN SHELLEY appealed to the right hon. Gentleman the Secretary for the Home Department not to proceed with the Bill at the morning sitting fixed for to-morrow. Surely the right hon. Gentleman was not prepared to say that the subject would not keep for another month after the many postponements which it had already undergone. He (Sir John Shelley) and other metropolitan Members had strong objections to the Bill, and this was not the period of the Session at which it could be satisfactorily discussed. He hoped the right hon. Gentleman would not thrust it down the throats of hon. Members at the close of the Session.

Sir GEORGE LEWIS said, he could assure his hon. Friend that he had no wish to thrust the Bill down the throats of the House. The Bill had been postponed for many years, and he was not prepared to say that it might not be postponed for another year; but when his hon. Friend spoke of a month's delay being of no importance, it was right the House should understand that if the Bill were not considered this Session there was no probability of its being considered till after next Easter. The Bill had not emanated from the present or the late Government, but had in substance come from a Select Committee of that House to which the Bill of last year had been referred. If the House thought it was not desirable to have morning sittings, or to enter on the consideration of any Bill of magnitude this Session, he was quite ready to defer to the wish of the House; but it must be understood that the Government did not shrink from their duty or from the labours which the performance of that duty involved.

Mr. W. WILLIAMS wished to say a word or two on this subject.

Mr. E. P. BOUVERIE rose to order. He believed it was out of order on the Motion for going into a Committee of Ways and Means to raise a discussion on a Bill of a totally distinct character.

Mr. SPEAKER: It certainly would be out of order to discuss the merits of the Bill; but I understood the Secretary of State from the Home Department to rather invite the opinion of the House on the question of the postponement of the Bill.

Mr. W. WILLIAMS believed that the postponement of the Bill would disappoint no one anxious to see an honest reform of the Corporation. Indeed it would be no disappointment if such a measure as that proposed by the Government was never proposed at all. The Bill was completely at variance with the Report of the Select Committee.

Mr. AYRTON was sure that the Liberal Members would give a certificate to the right hon. Gentleman that he had been very anxious to slip the Bill through at the end of the Session, but that his intention had been frustrated by them.

FINANCIAL POLICY OF THE LATE GOVERNMENT.—OBSERVATIONS.

Mr. DISRAELI:—Sir, before you leave the chair I wish to make one or two observations on the present financial condition of the country, which it will be more convenient, perhaps, that I should make now than when we are in Committee. It is scarcely necessary for me to advert to the conduct of the national finances by the late Government, and to the condition in which we left them, because the right hon. Gentleman the Chancellor of the Exchequer has stated generally, what took place under our Administration with respect to the finances, so fairly that I am not disposed in any way to question his statement, being quite sure that if in one rather important particular he conveyed a wrong impression to the House he did so entirely through inadvertence. I may, however, remind the House that when we acceded to office, and it became my duty to state on the part of the Government the position in which we found the finances, and the ways and means by which we proposed to meet the national expenditure, the country had scarcely recovered from one of the most severe monetary and in some degree commercial convulsions that it had ever experienced. Indeed, if we were to take the amount of commercial disaster as a test of the commercial distress and difficulty, what happened two years ago was one of the severest trials that the commercial classes have experienced in our time. It was under those circumstances that I was called upon to state to Parliament our financial condition, and to propose ways and means to the House at the commencement of the year 1858. The House will remember that there was, on that occasion, a deficit of something about £4,000,000 which we had to encounter. That deficit was met by a proposition on the part of the late Government that we should put an end to an artificial sinking fund which had been instituted some time before, and that we should not pay off £2,000,000 of Exchequer bonds which were becoming due. Those Exchequer bonds and that sinking fund formed the greatest part of the deficit which we had to face; and it was the opinion of the late Government that it was not desirable, perhaps not desirable at any moment, but certainly not desirable at a moment of commercial suffering, to make any great increase in the taxation of the country in order to redeem debt. It was, I think I may say, the unanimous opinion of Parliament that we took a right course on that occasion. It was the opinion of Parliament that it would not be wise, the country being then in a state of considerable distress, to lay on £4,000,000 of new taxes in order to maintain an artificial sinking fund and pay off £2,000,000 of Exchequer bonds. I do not think it is necessary for me to vindicate the course we took on that occasion. It has never been objected to in this House; but, on the contrary, has been unanimously approved of here. All the attacks that have been made on it have been made out of this House; and made no doubt in the same spirit and with the same machinery as the attacks on those other parts of the policy of the late Government which time has already vindicated. The deficit of £4,000,000 would to a certain but much smaller degree have been increased by the reduction of the income tax from *7d.* to *5d.* in that year. That reduction had been provided for by law, and in the course of the year would have effected a decrease in the revenue to the amount of £1,000,000. Her Majesty's Government were of opinion that it would be most unwise to interfere with that natural and legal reduction of the income tax. They thought there were social and political reasons which should influence them in that decision, as well as fiscal and financial ones. It appeared to them to be a matter of the greatest importance that the general understanding which prevailed between Parliament and the country that the income tax was to be gradually reduced, and at a certain period to terminate, was one the spirit of which, if not the letter, should be observed; and that we could not count on the country rallying round the Government in any emergency, when a great and unexpected claim was made on them, if, on the first occasion which presented itself, they found the Minister anxious to relieve himself of an engagement which Parliament had entered into with respect to that tax. I think that this course, also, was unanimously approved of by this House and the country. And although there may have been some who considered that, under all the circumstances that course was too hazardous, I think I may appeal to the state of things under the financial management of the late Government as a proof that—irrespective of social and political considerations, and looking only to financial considerations—the policy we pursued in respect of that tax was, even in a financial view, profitable and ultimately beneficial.

It was supposed, then, by the late Government that we should have to encounter in the year 1859-60, in consequence of the policy which we recommended Parliament to adopt, a deficit of probably not less than £3,000,000. We should first have to meet another £2,000,000 of Exchequer bonds; and then we should have to encounter a deficit of £1,000,000, being the second half of the reduction of the income tax from *7d.* to *5d.*, only one-half of that reduction having come within the year 1858-9. Let me ask now, how have the expectations held out by the late Government with respect to the finances of the country been realized by the event? Sir, we paid these £2,000,000 of Exchequer bonds out of the balances in the Exchequer. And here let me refer to the error which the right hon. Gentleman the Chancellor of the Exchequer seemed to me to labour under when he assumed the other night that it was not the intention of the late Government to pay these £2,000,000 out of the balances in the Exchequer, but that we would have made some other arrangement had it not been for the political and Parliamentary disturbance which led to the recent dissolution. That is not the case. It was always the intention of the late Government to pay these £2,000,000 out of those balances. We found the balances in a strong state, and we increased their strength by calling for that second £1,000,000 of the loan which we were entitled to receive under the financial arrangement sanctioned by the House in 1858. Had we not contemplated paying these £2.000.000 of Exchequer bonds out of the balances, we should not have called on the Bank to pay us that second moiety of the loan, but would have allowed that portion of the public debt to be extinguished. But we called for that second £1,000,000 in order that we might meet those £2,000,000 of Exchequer bonds and that we should not be under the necessity of postponing their payment. How, then, were we to meet the rest of the contempated deficiency. Well, Sir, we had anticipated that we should meet it by a surplus of revenue over the year's income as we had estimated it. I had estimated the revenue as something slightly under, in round numbers, £64,000,000. I do not think it necessary to vindicate the calculation of the Government in respect of every item of that estimate. When at the commencement of the financial year, you have to offer an estimate to the House of the resources of the country it never has been expected that every one of those items must realize exactly the sum named in the estimate, because they must, after all, to a great extent be hypothetical. All you have to expect from the person who has the management of your finances is that his estimate should on the whole prove adequate to the occasion, and that the sum realized should not generally fall short of the sum offered to the consideration of the House. With every care, an estimate of revenue which takes a whole year to accrue, must vary from any human calculation; but if you find that the result equals or exceeds the sum which the Chancellor of the Exchequer has held out as that which the country might expect, I think you must admit that in that respect at least he has done his duty. Now, what happened in the year 1858–9 for which the late Government are responsible? Our estimate was under £64,000,000; we received £65,500,000; an excess over the estimate of £1,500,000. That excess would have furnished us with resources to meet the decline in the revenue occasioned by the second £1,000,000 of the reduction of the income tax, and have also left a sufficient surplus. It has no doubt been stated that that surplus of £1,500,000 was not so general a one as could be desired, because it was in a great measure furnished under the head "Miscellaneous," a portion of the revenue on which we cannot place general reliance. That is perfectly true. It was foreseen by Her Majesty's late Government. At the end of the year, after the third quarter, when it became my duty to consider generally our finances, and prepare for the exposition which was to take place at the commencement of April, we deducted the whole of the "Miscellaneous" from the actual surplus, which left the actual surplus at a sum varying from £[illegible]00,000 to £1,000,000. We then made arrangements, which, partly by the extension of the 1*d*. stamp to a variety of instruments referred to by the Chancellor of the Exchequer the other night, and partly by the reduction of some expenditure, would leave an amply sufficient balance in the Exchequer. That is a general view of the probable condition of the Exchequer at the beginning of this financial year had it not been for the occurrence of events of great political importance. Under those circumstances I think I may claim for the late Government that their financial policy was sound in principle and prudent in administration. This is my answer to those who for a considerable time have alarmed the country by statements that the finances of the nation have been conducted upon a hand-to-mouth system—that they had been managed in a slovenly manner, and that our successors would find our Exchequer in a most perilous and difficult position. On the contrary, Sir, nothing we did in the arrangement of our national engagements was done without the concurrence, the unanimous concurrence, of the House of Commons; and I think that the course of events has completely vindicated the policy which we pursued, and which the House of Commons sanctioned. We did not waste our resources in maintaining an artificial sinking fund; but after the great disasters of November 1857, by the measures we adopted we avoided pressing upon an industrious people smarting under a great disaster.

Sir, I have already mentioned that at the commencement of the year political events of a grave nature occurred which entirely changed the aspect of affairs and the position of the Government with respect to the finances. It became necessary very early in the year, that a great increase should be made in the Estimates for the navy; and not only a great present increase, because we had to contemplate circumstances which might possibly occur to render necessary a still further increase in the navy and a great addition to our military expenditure. The House is perfectly aware of what was the reason of the course we took, and also of the occurrences in Europe. Is there one on either side of the House that can blame the Government for the policy which they recommended the House to adopt? Is there any one in the country who can blame the late Government? On the contrary, I believe, with very slight exceptions, the conduct of that Government has received general approbation; and no one questions, although it resulted no doubt in a deficiency of between £4,000,000 and £5,000,000, that this was an expenditure called for by the interests of the country—by the highest interests of the country—and that no man worthy of the position of a Minister, no man worthy the name of a Minister, could have shown himself in the House who, at such a moment, was not prepared to make the necessary arrangements for the crisis which at the beginning of the year seemed fast approaching. Now, Sir, our successors have had to meet the difficulties from which we should not have shrunk, and of which, of course, we are conscious. What I have said I have said in vindication of our conduct; and I hope the House will so far think I have not said it at too great length. They must remember that this is the only time that, on the part of myself and my colleagues, I have noticed those continuous and false attacks made on our financial administration by those who influence public opinion.

Perfectly aware of the difficulties of the position of the right hon. Gentleman who has succeeded me, and anxious on this subject as I am, and as I apprehend every Gentleman in this House is to give a fair and candid support to the present Administration, let us contemplate the course he recommends us to take. Now, Sir, I will, in the first place, say that to the decision at which the Government has arrived of dealing with this deficiency by taxation, and not by raising a loan, I give an unqualified approbation. I do not mean to say that there are not occasions in which, even in times of peace, recourse may be had to a loan. Every one knows that such emergencies may arise—but they must be emergencies; and only twice in the experience of the generation that I am addressing have such great emergencies arisen. I am not prepared broadly to lay down that even the question of national defences, which I understand is to be brought before the House, is not one of these exceptions. I give no opinion on the present occasion on so wide a subject, which requires the most careful investigation and the closest reflection. But I say that there was nothing in the expenditure incurred by the late Government, and sanctioned and entirely approved by their successors—there was nothing in the nature and amount to justify recourse to a loan. Its amount, though considerable, was not of that largeness which in this country is generally associated with sums raised in that manner. Treating it as £5,000,000 to use around number, we must recollect that there had been a reduction of taxation to the amount of £2,000,000, only within a year and a half; and I think the wisdom of the step that was then taken is made manifest by the position in which we now find ourselves, and in the course the Chancellor of the Exchequer has recommended us to adopt. Great as may be the objections to his proposition, and great as may be the difficulties he may have to encounter, every one of us feels what an advantage it is to him that in making to us this proposition he applies to a people who must feel that the Government of the country on this subject of the income tax has already and at considerable hazard maintained its faith. The reduction of the income tax from 7*d.* in the pound to 5*d.* was an act which put the country in good humour, and made them feel that this financial weapon was one which the Government of the country was not inclined to have recourse to except under extraordinary circumstances—except under emergency. Now, Sir, admitting that the Government are perfectly justified in the course they have taken, and approving of their determination not to have recourse to a loan when the expenditure which we have to defray is one which, I think, the country ought at all times to be able, when necessary, to meet in times of peace without borrowing, I would ask the House to consider the mode in which this taxation is to be raised. I would first, however, observe that totally irrespective of the bad financial policy of raising unnecessarily, in times of peace, money by loans, I can imagine nothing more impolitic, as regards the opinion of Europe of our position, than that, at the first moment of pressure, when an amount of £4,000,000 or £5,000,000 is required to place the armaments of the country in a proper state, to make it appear that this powerful and wealthy country is unable to defray such an expenditure without resorting to extraordinary measures. A loan under present circumstances must have produced a very bad effect, and must very much have influenced the opinion of the world as to our spirit and resources. Therefore, totally irrespective of the financial impolicy of a loan, I say nothing could have been more impolitic as regards the notions of foreign Powers, than having recourse to such a means of raising money. But now, Sir, as to the means by which these taxes are to be raised. The right hon. Gentleman the Chancellor of the Exchequer has proposed two measures. There are two sources from which his Ways and Means are to be derived. With regard to the third Resolution, which we shall very soon have before us—that, I mean, which relates to the malt credit—I will not make any remark at present further than saying that I think it would have been as well, when the right hon. Gentleman was taking so considerable a step, and was dealing with a credit which is recognized by Acts of Parliament, that he should have endeavoured to attain a greater result. The right hon. Gentleman may look forward to dealing yet further with this source of supply; but if that be the case I think it is a reason why a greater result might have been obtained at the present moment. No doubt some inconvenience if not injury must be occasioned by the change; and considering the opposition and prejudices to which it will naturally give rise, I think it is a question whether the right hon. Gentleman might not now have obtained a greater result than the £750,000 which he expects from his proposal. But passing that over, I come to the means by which the right hon. Gentleman contemplates obtaining no less a sum than £4,000,000. Now, Sir, I think it very unfortunate that at this time, with the year 1860 so near at hand, the right hon. Gentleman should have been forced to deal with the income tax. But I admit, and admit it freely, that under all the circumstances of the case—though I could contemplate that the adoption of that tax to a less extent was possible—the right hon. Gentleman was forced to adopt that tax to a very considerable extent as a means of supply; and if that be the case I do not think it is for the House—approving of the general policy and acknowledging the necessity of the right hon. Gentleman—I do not think it is for the House to split straws as to the particular amount he is to raise. So far, therefore, as that point is concerned, I should not object to the amount of the tax which the right hon. Gentleman has proposed. But, Sir, in so doing, I cannot refrain from expressing my opinion that all those arguments which have been offered to the House before, and even recently, against the property and income tax becoming a permanent source of our revenue are not in any way invalidated by the concession which the House may choose to make in this emergency. The property and the income tax is, according to the opinion of the House, to be retained for emergencies. We all admit that we are now going to deal with circumstances which are not of an ordinary character, and I, in agreeing, so far as my opinion and influence go, to the proposition of the Government, not only see no reason to change the opinion with respect to the tax which I have always expressed, but I do not recognize that this proposition, if acceded to, at all interferes with that settlement of 1860 to which we have always looked forward. But, Sir, although I am prepared to support the proposition of the Government on principle, I confess I should be greatly inclined in practice to modify it. I was not at all persuaded by any of the observations which fell from the right hon. Gentleman —I have not been influenced by the further consideration which I have given to the subject, nor by the information which has reached me from many quarters, and from the representatives of many classes—that the mode in which the right hon. Gentleman means to levy this special income tax, namely, in the course of six months, instead of spreading it over the year, is one that is at all necessary. That it is an arrangement against which many grave objections may be offered I think the right hon. Gentleman himself will hardly deny. It certainly adds to the severity of the pressure generally; it in some particular instances accomplishes positive injustice; and, thirdly, it is not only highly inconvenient, but in some cases may prove absolutely impracticable. I will not trouble the House now, because the Committee will be rather the occasion for that, by giving instances, but they are numerous and they are varied, and I will answer for this, that the more discussion goes on, and the more this proposition is before the country, the more numerous will be the objections and the more precise will be the cases of indvidual injustice and injury. If that general description of the objections to this arrangement be a just one, I cannot see why the right hon. Gentleman should insist on retaining that portion of his scheme. What we want to do is this—that these £4,000,000 shall not be added, either in whole or in part, to our permanent incumbrances, but shall be defrayed out of the taxes of the country. If the House is in that mood, as I believe it is, it can give the right hon. Gentleman a first-rate security; and I cannot understand that any Chancellor of the Exchequer, much less one of the resources of the right hon. Gentleman, with first-rate securities for raising £4,000,000, will not be able to obtain the accommodation that he requires without visiting with unnecessay severity and annoyance the great body of the taxpayers. I should, therefore—although I trust it may be unnecessary—feel inclined, when we get into the Committee, to move an Amendment which will consist in the omission of the last two lines and a half of the first Resolution, which would render this vexatious arrangement nugatory, and at the same time give the right hon. Gentleman all the resources he desires.

Now, Sir, I have touched on the conduct of the finances by the late Government, and I have, I hope, not underrated the difficulties which the propositions made by Her Majesty's Government present. I offer it as much support as I think financial schemes have a right to expect. All such plans are open to criticism; modifications are sometimes offered, and occasionally accepted. I hope the right hon. Gentleman will accept this. I am not offering any opposition to what is called direct taxation. I have no desire to diminish the amount of direct taxation which at present exists in our financial scheme, but that it may take a form less unjust and inconvenient. I have long believed that it was possible to raise the same amount of direct taxation as is raised at present, without having recourse to an income tax, the objections to which never can be cured, but which objections are never felt at a moment of public emergency, when you appeal, and rightly appeal, to the higher feelings of the country. Therefore in times of war, or even in warlike times though not times of war, this is an instrument which a Chancellor of the Exchequer may always appeal to with confidence; which adds greatly, if not abused, to the influence of this country with foreign countries, and is, in fact, as important to this country as her fleets and her armies. The consciousness that this country can by a single tax, if necessary, at a moment raise a sum as great as those loans which despotic monarchs raise with so much difficulty at a high rate of interest—the knowledge that we can by a single Vote in the Ways and Means of the year give to our Sovereign as much as the loans raised to sanction invasion and aggression abroad, is one of the great facts which influence the minds of nations and Cabinets, and is a source of strength to England which is incalculable. Now that is one of the reasons why you should not fritter away these means of recruiting your Treasury; and although there may be occasions when you should appeal to the income tax—at times of great commercial change, or to enable us to effect some important fiscal reform, the House ought not to encourage the introduction of the income tax as an habitual feature of the financial scheme, and they should take every means consistently with sound finance that there shall be a weapon in our armoury not used for trifling and common purposes.

Sir, having touched on these two points, there is one other, before I sit down, to which I feel it my duty to call the attention of the House, and that is the general condition of our finances. The right hon. Gentleman has had some difficulty to encounter this year. The prospect of next year, under ordinary circumstances, is more perplexing; and the financial position of this country in a time of peace is one which ought not to be passed over without notice. We are now raising a revenue of nearly £70,000,000 per annum in time of peace. There is no country that can go on raising £70,000,000 per annum in time of peace with impunity. England cannot, and if England cannot no country can. Then how are we to meet this great and growing evil? It is useless to throw the blame upon the Government, of whatever party it may be formed. There are no persons so interested in the economical administration of the country as the Government of the day, of whatever party it is formed. The struggle against expenditure is always a struggle between the Government and the public, or between the Government and public events. The position of a Minister is much more easy and much more agreeable when he has not to lay on taxes; and there is nothing which has led so much to the destruction of Governments and to the injury of parties as having to deal with the state of national finance in periods of confusion or deficit. Therefore we shall do nothing by making declamatory speeches, either in this House or in the country, and by enforcing what is called an economical administration, unless we ourselves take the question in hand and see how far we may assist the Government in that great and absolutely necessary result. Now, Sir, a great deal is said about the expenditure of the civil service of this country, and I hear sometimes that we are to obtain great results from reducing the Civil Service Estimates. I look upon that as quite delusive. The civil Government of this country, on the whole, is an economical Government, and if you analyze the expenditure for the civil service in the Estimates you will find that it is an expenditure really for the advantage, the welfare, and the advancement of the great body of the people. The administration of justice, the education of the people, and the health of the people, are the three great sources of expenditure. It may be, and is, no doubt, true that some of the principles upon which these measures are founded, and changes recommended, may be exaggerated in their application. There may be, and is, no doubt, in the administration some expenditure that might be avoided. Here and there a job may be detected, but if you look to the main objects and the main results, what are they? You have an expenditure to ensure order, to ensure the education, and to ensure the health of the people. Why, those are the three great sources of public wealth: an educated, an orderly, and, above all, a healthy people—these are three of the principal sources of public wealth; and if we in a moment of difficulty make war upon this expenditure for civil service, and reduce the machinery which occasions these three great items for these three great ends, we really are making war on the civilization of England; we are making war on that progress which every one of us is so fond of appealing to, and so ready to assert. Therefore, Sir, I hold, that although these Civil Service Esmates, as all Estimates, should be prepared with great care, and revised with great strictness, this is not the source from which we can obtain that relief and those Ways and Means for which the country languishes. Now, Sir, let us approach the great source of expenditure in this country. The Military Estimates are enormously increased. If we are to follow the advice of some, I may say even of many, in this House and in the country, they would be further increased to a great extent. Vast as is the expenditure, we are still told that the defences of this country are most imperfect. Vast as have been the preparations we are still told that the honour of England is not safe, and that it becomes us to make still further exertions—that our fleets must be increased—that our armies should be increased, and that other means should be taken which should render the position of the country more satisfactory. Then what are the Ways and Means by which you are to encounter this? You have great difficulty in meeting the burdens which are now necessary for you to bear—How are you to encounter that future prospect which is so frequently held out to you of further expenditure for your armaments and for your defences? Now, Sir, I have once or twice, or oftener, and I am afraid even to weariness, endeavoured to impress on this House that when you come to public expenditure on a great scale, expenditure depends upon policy. When we who sit in this House dilate upon the expenditure of the country and deplore the waste of our resources, and then call upon the Ministry to reduce the expenditure and to administer with more ability the Ways and Means placed at its command—when we do this we are in fact doing nothing. The Ministry only maintains that expenditure on the whole which the policy of the country demands, and you are responsible for that policy. Now, Sir, what is the policy of this country at this moment? And what are our prospects? If you want reduction of expenditure you must look to your policy, and at this moment there are two points of policy which you must not neglect if you are sincere in your determination that this country shall not be involved in financial perplexities from which it will require the greatest sacrifices to rescue it. There are two points of policy pressing upon us at this moment, upon which it becomes both Houses of Parliament to fix their eye closely, and to require from those who are responsible for the administration of our affairs precise views and accurate knowledge. A little while ago—not more than two months—a European war seemed to be impending, and a most sanguinary struggle in one European country had commenced. But that war has terminated in a manner most unexpected, and even at this moment the House has scarcely recovered from the surprise with which they received the news that a struggle which some thought might have lasted for years had suddenly closed. Now, we took no part in the transactions which led to that war. It was the policy of the late Government, under these circumstances, to maintain a strict and an impartial neutrality. That was misrepresented at the time, but the country has, I believe, already done us justice in that respect. Although, from some of the speeches that were delivered from this side of the House during the last debate at which I had the honour to assist from the benches opposite, it was supposed that our successors were on the eve of pursuing a policy of a very different character—altough it was to instal a policy of a very different character that the change of Government took place—yet no sooner were the new Government in office than I had the satisfaction of hearing, and both sides of the House had the satisfaction of hearing, that they intended to follow the footsteps, as to foreign affairs, which had been traced by their predecessors. Well, Sir, that was a satisfactory statement, and circumstances and events have since occurred of such importance, and with such rapidity, as to add immensely to the value of that statement. There has been an armistice which produced a peace, which is welcomed by every one, not only with the interest and satisfaction which peace always produces, but in this country I think with still greater satisfaction because we were not at all mixed up with the commencement of the struggle, and are not in any way responsible for its conclusion. Now, I hear that there is a prospect of a Congress, or Conference as it has been called; and that that Congress or Conference is to be attended by the neutral Powers. Sir, the moment those Powers attend that Congress or Conference they cease to be neutral. The moment those neutral Powers attend that Congress or Conference not only do they cease to be neutral, but they become responsible alike for the past and the present. I make no criticism upon the peace which has been arrived at. The Emperor of the French was denounced a few months ago because he would make war. The Emperor of the French is now denounced because he will make peace. But let us look to the position of England with reference to the startling transaction at Villafranca. Two things have happened. First of all we have a peace; and I am not prepared to treat that peace with the contemptuousness which some persons have already exhibited for it. I believe peace to be a great blessing. I believe that there is no country in the world that benefits more by peace than England; though, materially speaking, peace is more necessary to every country in Europe than it is to England. Well, then, we have gained this great result; and it has already given an impulse to our commerce and stimulated the enterprise of our citizens. That is a great blessing. But if I look to the political and diplomatic considerations connected with this peace, what do I see? I find, not only that we have peace, but that we have a peace settled without disturbing that political equilibrium which England has always declared to be one of her main objects. Is that no slight matter to us? I say, therefore, viewing the startling events that have occurred in Italy from an English point of view, that both because they give us peace and because they give us a peace which respects that balance of power for which we ourselves have lavished such millions of treasure and such thousands of lives, we, as Englishmen, ought to look upon the transaction with satisfaction. All the fruits of it which are satisfactory we reap, and we are not in any way responsible for anything connected with it which others may deem unsatisfactory. Will you thrust yourselves, then, into a business with which you have no connection, and in relation to which, you stand in a good position? Will you thrust yourselves into it from pure public vanity—merely that you may be able to say that England has had a hand in the settlement of the world? Some of those settlements rise like exhalations and disappear like exhalations. Will you quit the vantage ground that you now occupy, and for such mean and vain objects will you force yourselves into Congresses and Conferences? Will you enter into engagements which may produce only confusion to this country, which may involve you in proceedings most injurious to your resources, and from which you may only reap disorder and distress? Why, Sir, in 1815, when you had the Congress of Vienna, England could not refuse to send representatives to that assembly. England had taken too great a part and too active a part for a series of years to shrink from the responsibility of her own conduct. But what were the engagements that you entered into at the Congress of Vienna? Why you entered into engagements at the Congress of Vienna which the British Minister, when he went to that Congress, never contemplated; and if it had been known beforehand that he would have placed his signature to them an alarmed and indignant House of Commons would have prevented him from repairing to that august assembly. Why, by the great Treaty of Vienna you have guaranteed her Saxon provinces to Prussia. It was by an accident, it was by the representation of an urgent necessity at that Congress, that England was entrapped, I may say, into one of the most solemn and unqualified covenants that a country ever entered into. We are told now by those who place such a construction upon the conduct of our allies, even of those who have been faithful to us, that the next war is to be a war against Prussia. How will you stand if there is a war between any great Power and Prussia, with this guarantee in existence, which you entered into at the Congress of Vienna? And now, if we send Ministers to Congresses and Conferences—I do not care where they meet, whether at Zurich or Paris—what do you send them to do? Either to do nothing, when they will be only symbols of your insignificance; or to enter into engagements which must involve you in increased expenditure and increased responsibility. If you had thought proper to join in the struggle for the freedom of Italy—if you had been involved in the war yourselves—you could not, as men of honour—you could not, as a community possessing self-respect—refuse to attend the Congress which was to wind up the results of your own energy and interference; you could not shrink from the responsibility. But when—be it by good fortune as some think, or by sound policy as I maintain—your councils have saved you from this interference, and have saved you from this responsibility, are you at the last moment, from some weak feeling, some ebullition of disappointed vanity, to be entrapped into attending this Congress or Conference; and are you there to enter into arrangements and engagements which must lead you to an increased peril to these finances which already require your strictest criticism and most careful administration. Here is one point of policy which will influence your expenditure, and to which I pray the House to give their most earnest consideration. Now, let us see if there is not one possibly of still greater importance connected with these public transactions, and with the finances of the country, which this House will be wanting in their duty to their constituents and the country if they neglect. We have this peace before us, and I maintain that the arrangement, such as we know of it, inasmuch as it gives us peace, and gives us a peace founded upon the existing equilibrium of power, is one that ought to be satisfactory to Englishmen and English statesmen. I know there are persons who will be dissatisfied. I know that even in this country, and in other countries certainly, there are men—honest and honourable men undoubtedly—but who take upon public affairs so exaggerated a view, and one so ill-founded, that they cannot believe that in transactions of this kind men are at all influenced by considerations of common sense. I know that there are persons who are disappointed. I know there are persons who had expected that the Emperor of the French—a Roman Catholic prince, the first Child of the Church, and exercising—by consent, to a large degree no doubt, of the people—an arbitrary and a despotic sway—was about to establish in Italy the Protestant religion and the British constitution. You cannot argue with men who entertain such delusions; but these are men who to a certain extent influence public opinion, and it has often been through such views that countries have been involved in war. Now, we we are to view this plan as it relates to Englishmen, to England, and to English interests. I maintain that the arrangement is one that, on the whole, is entitled to our respect—that an arrangement which gives us peace, and gives us peace founded on no disturbance of the political balance of power, is one that we ought to welcome—if not with enthusiasm, at least with respect. I am told, indeed, that this peace is to be disapproved of—and I have heard that it is disapproved of by English statesmen, because—singular reason—the Emperor of the French has not realized the programme with which he commenced the war. I should like to know whoever did realize on peace the purpose for which he commenced war. Compare the manifesto of any state or country—I care not what the form of its government; it may even be the United States of America—compare the original manifesto upon which the war was declared—the avowed purpose for which war was waged—with the final pacification, and I defy you to bring an instance in which the objects of the war have been fully or even in a great degree realized. Take the late war with Russia. I remember hearing the noble Lord the Prime Minister himself announce that he was most disappointed at the peace to which he himself had acceded. Did he not send a special Minister to Paris in order to oppose the arrangements which were proposed by some of his allies, and which, he said, were in direct violation of the objects of the war? From the very time that peace was concluded with Russia, did we not hear, not only in England, but in almost every country, constant lamentations that it was a war waged for a great purpose, which was only partially accomplished. I do not blame the peace that was made with Russia. I supported that peace. I think it was wise to have peace with Russia, and I think that certain objects were attained which were of public benefit; but that any one, much more a Minister of State, should impugn the conduct of one who was still our ally, because he had entered into a peace which does not entirely agree with his programme, is, to my mind, one of the most unaccountable and inconceivable of incidents. Between the manifesto that declares war and the articles of peace that are signed a great many important events occur, which enlighten the mind, which mature the experience, and instruct the action of those who are carrying on the war; and a great deal happened between the manifesto of Milan and the articles of peace at Villafranca, which I should have thought might have modified the views and taught some lessons to the most arrogant conqueror and the most determined invader. And because a Prince takes a wise and moderate view of affairs and makes a peace, which I hope and believe has the elements of being a permanent one, is he to be held up as a Prince whom no one can trust, because he has not, when he signed the articles of peace, done that which no State or Potentate ever yet did—realized the programme which he published before he declared war? Now, Sir, upon our conduct in this respect entirely depends the financial condition of this country. I give credit to the Princes who signed those articles of peace, for the motives which induced them to agree to that peace, and for the peace to which they have agreed. I hope and I believe it may be permanent. But let us do our best to make it permanent. It is a peace which is favourable to the traditionary policy of England and it is alike our duty and our interest to cherish and maintain it. We ought not to encourage those maligners, who have not English interests, who have not a traditionary policy to maintain, to destroy that which those interests and the interests of humanity alike require. Giving these Princes and potentates credit for sincerity, what should be the course of the English Government? What is that second point of policy to which I would direct the attention of the House and which it is our duty at this moment earnestly to impress upon the Government as the line of policy they should follow? If we are to have peace —if peace has been signed by one of the greatest actors in the war, on the ground that he shrank from the responsibility of a general war—if those articles at Villafranca are animated by a sincere spirit— and I will believe they are so animated, what is the course for England? Not to go to Congresses and Conferences in fine dresses and ribands, to enjoy the petty vanity of settling the fate of petty Princes. No; but to go to your great Ally the Emperor of the French; give him credit for the motives which have animated and influenced him, and say, "If you are in favour of peace—if, at a great hazard to the mere reputation of the hour you have terminated this war, join with us in securing that peace by the only mode by which peace can be secured. Revive and restore, and even increase, the good feeling which once existed—which I hope still exists between the two countries of England and France—prove by the diminution of your armaments, that you are sincerely anxious, as we believe you are, for the peace of Europe and of the world, and we will join you in a spirit of reciprocal confidence—and animating alike the industry of both nations, thus achieve conquests far more valuable than Lombardy, far more valuable than those wild dreams of a regeneration ever promised but never accomplished." Have we not great advantages at this moment for accomplishing such a policy? Have we not a Government whose boast it is that they possess the confidence of the French Emperor? We were told that it was entirely owing to the absence of some of those distinguished Statesmen opposite from the Treasury bench, that Italy was involved in war; that, had they been in power, the Emperor of the French would never have taken a single step without consulting them; that so unbounded was the confidence that existed between those eminent Statesmen and that illustrious Prince that, except such slight matters as signing the articles of peace there is hardly any subject upon which he would not have previously taken their advice. Well, Sir, here is a good opportunity for the noble Lord at the head of the Government to prove the influence of the English Government, and to act a great part in Europe. Instead of going to Congresses and Conferences for petty objects, in which England has no interest, but which may involve England in great disaster, let the noble Lord prove to the world that England is a Power that possesses and exercises a great influence, especially with France, by accomplishing that which is much more important than formal articles of peace; by bringing about that which will put an end for ever to the doubts on the sincerity of Princes; which will speak to every cabin and cottage in both countries as well as to the Houses of Parliament and places of high resort; which will prove to the national conviction of the great countries of Europe that peace is the policy of their rulers. Let us terminate this disastrous system of rival expenditure and mutually agree, with no hypocrisy, but in a manner and under circumstances which can admit of no doubt—by a reduction of armaments—that peace is really our policy. Then, Sir, the right hon. Gentleman the Chancellor of the Exchequer may look forward with no apprehension to his next budget, and England may then actually witness the termination of the income tax.

THE CHANCELLOR OF THE EXCHEQUER:—Sir, as the right hon. Gentleman who has just spoken has addressed himself in so considerable a portion of his speech to matters immediately connected with my department, I hope it will not be thought unbecoming of me to avail myself of this opportunity of making some remarks to the House. I will confine myself, in the first instance, to those matters which are immediately connected with finance; and in order not unduly to trespass on the time of the House, I will begin by dismissing from consideration all that portion of the right hon. Gentleman's speech touching finance which is retrospective, and which aimed at a justification of the financial measures of the late Government. No imputation has been cast on them in any of the proposals of the present Government, or in any of the remarks with which those proposals have been accompanied. I do not wish to give an opinion on the statements of the right hon. Gentleman; but I confess I was not able to follow his figures. When he spoke of a surplus revenue of £1,500,000, I must confess it was a surplus of a description new to me, and, as far as I know, to financial computation. The only surplus I know of worthy of discussion, and especially of a retrospective discussion, is the surplus of income over expenditure. But the surplus of the right hon. Gentleman on which he dwelt at some length with paternal fondness, as proving the soundness of the finance of the late Administration, was not that, but simply the surplus of actual income over estimated income. That is all very well, as far as it goes, to prove that the right hon. Gentleman made up his estimates of the income of the year with perfect propriety and according to ordinary rules; but it is of very little value with reference to determining the actual financial condition of the country, which depends upon relations not between real and the previously conjectured income, but between money you have actually got, and money you have spent or have undertaken to spend. And here has been a rather considerable difference; for, while what I may call the fancy surplus of the right hon. Gentleman was £1,500,000, the actual surplus of income over expenditure for the past year was only £800,000, or about a moiety of his estimate. I only make that remark to elucidate what I conceive to be the true state of the facts. I enter into no charges or imputations whatever on the Estimates of the right hon. Gentleman, and I pass to those matters which are before the House for their consideration. It is, however, my duty to thank the right hon. Gentleman for the generous and candid spirit in which he has discussed the financial proposals of the Government. I rejoice to hear him express so strongly his objection, as a general, but of course not an inflexible rule, to a resort to anything in the nature of a loan under such circumstances as the present, and I trust we shall have a unanimous concurrence among all Parliamentary authorities upon that important subject. I have nothing whatever to complain of in any portion of the right hon. Gentleman's remarks; but it is my duty to state my views broadly in respect to some of the suggestions he has made. If I understand him rightly, he approves of our proposing to raise the deficiency by means of new taxes; he considers that the income tax ought to be a main source of supply, and approving the principles, he declines in a statesmanlike spirit to enter into the question, whether minor sources of supply might have been brought in aid; but, admitting the substance of our proposals, and granting them a favourable and candid reception, he at the same time reserves to himself the right, and almost declares his intention, to propose a modification in what he calls the mode we have adopted of levying the income tax. I should be very sorry, indeed, to quarrel with the right hon. Gentleman, or with any Member of this House, upon a mere matter of form, or only of technical importance, and especially with reference to anything that could be justly described by such a phrase as that of the "mode of levying the tax;" but when we look to the truth of the case I cannot but see—and I think the right hon. Gentleman himself will see—that what he describes as the mode of levying the tax is, in fact, the whole question, whether you are to borrow or not, and whether you are to have the tax or not. The right hon. Gentleman says, the six months levy of the tax will cause cases of injustice, and that the levy of the tax will be impracticable. Now, with regard to the impracticability of levying the tax, I ask the House to place its confidence in those able heads of the Revenue Department without whose assurance I should not have ventured to stir one step with regard to the proposal I have made. They assure me that there is no impracticability in the mode of levying the tax. The levy of an income tax is, indeed, attended with many great and frequently insurmountable difficulties—difficulties that cannot be wholly surmounted—but none of which will be either rendered insuperable or aggravated by the measure I have proposed. Then with regard to the question of injustice I cannot admit that any injustice will be done. I maintain that the House of Commons is just as much entitled to tax the country, if it thinks fit, in respect to six months of every man's profits as in respect to twelve months of those profits. If, indeed, you say, "We are going to impose a tax for a year, but we shall require everybody to pay up for the first six months," undoubtedly it may be objected that where there is a change of interests the in-coming persons may be relieved at the expense of their predecessors; but that is not a true representation of this proposal, because, although from the necessity of the case, arising from the mode of charging the tax, you must in almost all cases go upon an annual assessment, the real substance and meaning of the proposal is that the additional 4*d.* will be levied on, and virtually in respect of, the first six months of the financial year. There can therefore be no injustice whatever with regard to the relations between those who may be occupiers of property, or holders of annuities, as to any succession of interests that may take place. If I understood the right hon. Gentleman correctly, he would modify the proposal by omitting the last two lines and-a-half of the first Resolution; and the effect of that alteration would be to impose the tax, not upon the first half-year, but upon the entire year, and to throw the receipt of the last half of the tax into the year 1860-61, thereby making it part of the Ways and Means, not of the current year, but of the next year. Of course, if that were done, the question arises how is the gap to be filled between the time when you want your money and the time when it comes in. The answer is that the gap must be filled by borrowing. You are then to borrow in one form or another. I presume the right hon. Gentleman thinks that what he has suggested in this respect is consistent with what he has said upon the subject of loans. He has said that to go to the money-lender, especially for such a sum as £5,000,000, would, under the circumstances, be a course unworthy of the country: but he now proposes, if I understand him, to go to the money-lender for £2,000,000, under circumstances, in my opinion, the most objectionable in every practical point of view. Whatever you do, at any rate, do not lay new burdens and new financial difficulties upon 1860. We have done enough already in that respect; and I think no prudent man who takes ever so slight a view of the present condition of this country would feel disposed to become responsible for charging the financial operations of that year with additional difficulties in order to procure present and momentary relief. I have not yet had an opportunity—and I don't know when that opportunity may occur—of stating fully to the House the view which I am disposed to take, upon clear conviction, of the constantly increasing difficulties in the financial condition of this country. The matter is too serious to attempt to open it in a crude or partial manner. The right hon. Gentleman opposite has treated it, I think, too summarily, and has not adequately measured the increasing gravity of the case. He thinks, in the first place, as respects our peace expenditure, that its progress has been natural and legitimate, and he also evidently considers that that progress is a normal progress and is likely to continue and ought to continue. I cannot agree with him in that respect, and I will state broadly my reasons for the difference. It is perfectly true that there is a great expansion of social wants and of social demands which entail increasing calls upon the public purse; but it is also true that up to the year 1853—the last year before the Russian war—you had that same expansion of wants and demands going on. Of course, it had not then advanced so far, but you had a similar growth of new wants and demands continually leading to new expenditure. Up to that period, however, you had practically, by your wise thrift and economy, been able to meet those wants and demands, and 1853 presented scarcely a perceptible increase in the public expenditure, the increase over the expenditure of the country ten or fifteen years before being perfectly trifling, though I will not venture to state it from memory. But what has been the state of things since 1853? It is useless to blink the fact that not merely within the circle of the public departments and of Cabinets, but throughout the country at large, and within the precincts of this House—the guardians of the purse of the people—the spirit of public economy has been relaxed; charges upon the public funds of every kind have been admitted from time to time upon slight examination; every man's petition and prayer for this or that expenditure has been conceded with a facility which I do not hesitate to say you have only to continue for some five or ten years longer in order to bring the finances of the country into a state of absolute confusion, and to drive this House to the alternative either of imposing permanently the severest taxes at their highest standard upon the people, or of purchasing an ignominious repose—a repose which must soon be broken by loud calls for change—by the practice of annually borrowing to meet your expenditure. I demur, therefore, entirely to the doctrine of the right hon. Gentleman that this growth of the civil expenditure is a thing natural, legitimate, normal, and proportioned to the state and condition of the country. I do not say that it can now be kept down to the same standard as before 1853. I do not undertake to enter at this moment upon the consideration of this item or of that; but I do say there is one thing essential, and it is that the country and the House of Commons should return to the temper and spirit which ruled with respect to public expenditure chiefly, I think, from the period of the first Government of the Duke of Wellington, most eminently after the Reform Bill, to the great honour of that measure, and which upon the whole continued to direct the proceedings of Governments and to be satisfactory to the nation, until about the epoch I have named, namely, the outbreak of the Russian war. I will mention to the House, without going into details, some of the matters which they have in prospect. We are not now dealing with the tremendous question of the national armaments—we are not touching on these vast Estimates; but great as the increase of your Civil Estimates is, it is small in comparison with what it will be unless this House determine to lay a strong hand on the system. There is a question about to be put to-night with regard to harbours of refuge, when we are to act on the Report of a Committee on that subject. I think that Committee has recommended a public expenditure of about £2,500,000, and a public advance of about one million and a quarter; and as I believe it would be moderate in all cases of harbours of refuge to say that the cost, when they come to be executed, is at least double that which was estimated, I think I may fairly multiply by two the sums I have given, and then the figures will stand £5,000,000 of public expenditure, and £2,500,000 of public advances. Then you are going to rebuild the public offices; and on what scale? How much are they to cost? Will you be satisfied if they cost as little as these Houses in which we sit? You have yet done nothing for the National Gallery; but it is agreed on all hands that a structure ought to be raised, and that the site ought to be enlarged at very great expense in order to erect upon it an edifice worthy of the country. You bought six years ago the valuable site of Burlington House; but it still remains to cover that site with buildings proportioned to the purposes for which it was acquired. We come next to our old friends the packet and telegraph contracts. At the present moment your packet Estimate is about £1,000,000, and you not merely abandon all profit out of that portion of your postal service, but of this £1,000,000 you pay £600,000 of hard money out of the public purse. Is this all? I will tell the House the state in which I found this matter on coming into office. The practice, as is well known, has been for the Government to take the management of these subjects into their own hands, to frame contracts, and then make them known to Parliament when the demand is made for money to pay them. I am not now speaking either in praise or blame, but merely describing the system. The consequence of that is that at all periods there are of course a certain number of what may be called pending contracts. What does the House suppose was the gross amount of those pending contracts on our accession to office? Why, Sir, I found that the pending contracts—the contracts that had been more or less entertained by the Government, but which had not yet received the definitive or substantial sanction of Parliament—involved guarantees very nearly to the sum of £600,000 a year. Now, I cannot admit to the right hon. Gentleman that his Estimate is a rational or sober one, when in this state of things he speaks with such calm satisfaction of the growth of the expenditure for the civil service. But I pass on from the Civil Service Estimates, which the right hon. Gentleman thinks require no manipulation whatever, to the other stubborn customers that we have to deal with, namely, the estimates for our naval and military establishments. And here, on the contrary, I must say, I think the right hon. Gentleman is somewhat sanguine. It appears that there is nothing in the world necessary to be done but that the present Government should have the good sense to follow, *de verbo in verbum*, the measures marked out for them by their predecessors in reference to their foreign policy. As soon as they guide their policy by that standard, all our difficulties will disappear, and we need not despair that even the income tax itself will disappear in 1860. I must confess that it seems to me a very sanguine mood has taken curious possession of the right hon. Gentleman's mind. I do not believe that such great and magical results are to be attained; and still less, I am bound to say, do I believe they are to be attained by that close and rigid law of imitation which he wishes to prescribe for my noble Friend the Secretary of State for Foreign Affairs. The right hon. Gentleman is rather hard on the present Government, and in this he follows the example of another right hon. Gentleman who sits opposite, as well as of my noble Friend the Member for Haddington, in the very broad assertions they have made with respect to the perfect wisdom and success of the measures taken by the late Government in reference to the recent complications of Europe. The right hon. Gentleman says those measures have been vindicated by time. It is not my duty to pursue in detail this portion of the right hon. Gentleman's remarks. At the same time I may, perhaps, be permitted to observe, that considering the range of those remarks, and the extent of topics they introduce, which carry a mere journeyman Chancellor of the Exchequer like myself entirely out of his true regions, and require much higher flights than he can hope to reach, it might have been more convenient if the right hon. Gentleman had taken a more suitable opportunity, and one chosen after due notice to the House, for advancing these principles of his high policy, than a discussion on the finances. He tells us he is glad to hear that the new Government intend to walk in the footsteps of the old. As a very humble Member of the new Government, I will state frankly the impression made on me by a most careful study of all the documents supplied to us in order that we might estimate the policy of the late Government on Italian affairs. Sir, those documents have left on my mind the clearest conviction that Lord Malmesbury addressed himself to his task in the spirit of an English gentleman and a lover of peace. But having stated that much with respect to the aim that he invariably had in view, and to the spirit of justice in which he sought to attain that aim, I must beg leave, as to everything that goes beyond, respectfully to remain silent; and unless we are called upon and required to discuss *seriatim* the prudence of the measures which were taken, I simply say, "Do not compel me by your admissions to subscribe to that which I cannot admit, and be content to receive from my noble Friend the liberal and fair appreciation he has expressed of the objects and aims of Lord Malmesbury. Do not endeavour, by continual vaunts and flourishes of their perfect wisdom and success, to leave us only the alternative of entering on the invidious task of dissection, or else of appearing by our silence to assent to what is not compatible with our honest convictions." As I have said, the right hon. Gentleman has really gone much beyond me on these lofty subjects; although certainly it cannot on the whole but be of use to the Government to hear the sentiments he has frankly declared on prospective questions, provided only it is not at once assumed from our silence that we approve or are bound to follow them. I shall not enter into conflict with the right hon. Gentleman on any part of what he has said, but will frankly echo so much of it as I can; and with regard to that which I cannot frankly echo I shall endeavour to express myself with due reserve. The right hon. Gentleman has spoken strongly, and sought earnestly to impress on the present Government, the duty of studying—to revive, as he said at one time, to preserve, as I think he said at another—and if possible to strengthen that sentiment of friendship and alliance which has long prevailed between this country and France. We shall certainly omit no instance of showing by frankness and confidence our desire to maintain that which I may at this moment venture to say has become in peaceful times, and in all such times as we hope to see, a law of the foreign policy of England. The right hon. Gentleman also says, "require a diminution of your armaments." And I am sure I do not go beyond my duty, nor belie in any respect the sentiments of my colleagues, when I express the opinion that the moment the state of Europe admits of bringing to that most wholesome and salutary test the pacific arrangements which upon paper have been made, that moment it will be the duty of the English Government to spare no effort in that direction. Sir, beyond that I cannot entirely go with the right hon. Gentleman either in his history or his doctrine. He declares that there is going to be a Congress, and he says that any man who advises that England should enter this Congress will—irrespective of any particular conditions or suppositions as to its constitution—betray his duty; that all neutral Powers will become responsible if they act in a Congress not for certain definite objects which are disapproved by the right hon. Gentleman, but in any Congress that may be held in the present state of Europe. But, why this sweeping and alarming, this terrific denunciation of all Congresses, and that too, by the right hon. Gentleman? Only three months, four months, and five months ago, Lord Malmesbury had no rest day or night in discharging despatches and telegrams to all points quicker than any of the new Artillery will discharge cannon balls and bullets, all recommending, enforcing, adjusting, and re-adjusting plans for the bringing about, if possible, by hook or by crook, the meeting of a Congress. We ought to be enlightened and illuminated by the declarations of opinion by the right hon. Gentleman, but I confess I do not gain so much benefit from them when I find such wholesale denunciations at the present moment of that which a few months ago the right hon. Gentleman and his colleagues were labouring with all their might to promote. I should like to have these opinions in some sort of reciprocal adjustment before I can tell what advantage for the governance of our practical proceedings I can derive from his authority. He has entered into a discussion of the peace, upon which I shall pronounce no opinion further than to say that I am not prepared to subscribe to the rather sanguine doctrine which the right hon. Gentleman laid down when he said that the terms had been dictated by a wise and moderate view of affairs, and that he hopes and believes—not only hopes but believes—that the peace has in itself the elements of permanence. Sir, this may be so; but I confess that I would rather reserve my judgment to be assisted hereafter by the light of events than at the present moment and in the present state of Europe pledge myself, as the right hon. Gentleman has done, to a definite and distinct approbation of the terms of that peace. The right hon. Gentleman complains that fault is found with the peace because it does not fulfil the programme which preceded the war, and he says that peace never does fulfil the programme of the war. Sir, that version of history is entirely new to me. The right hon. Gentleman not only pro-pounds the doctrine, but he illustrates it with an instance. He says, "Go to the case of the Russian war, and you will find that the peace which closed it did not fulfil the programme." But where was the programme of the Russian war? If the programme of the Russian war was to be found in the ardent expectations of heated minds, no doubt the peace did not fulfil that programme. But we are not now speaking of the opinion of individuals; we are speaking of the authentic manifestoes of Sovereigns; and if you will turn to the manifesto in which the Sovereign of England declared her views upon the outbreak of the Russian war—I have not had an opportunity of seeing it since the right hon. Gentleman spoke, but I speak confidently from recollection—you will find that the peace fulfilled, and more than fulfilled, what was defined and described in that manifesto. It is not necessary to enter at length into detail, but I may mention three points. There was not in that manifesto any mention, as an object of the war, of the destruction and prohibition of the naval arsenal at Sebastopol; there was not in that manifesto any declaration that the Russian fleet in the Black Sea must cease to exist; there was not in that manifesto any declaration that Russia must make a cession of territory in the Danubian Principalities; and yet all these objects, as well as all that was described in the manifesto, were obtained by the peace made in 1856. Why, Sir, there is a stronger case still. Was not the programme fulfilled in the case of the great Revolutionary War? I am not going to enter into any discussion of that gigantic question, but, undoubtedly, the first programme of those who went into the war with the most extreme views was the restoration of the Bourbons. The programme of Mr. Pitt did not go so far; all that he wanted was security against France. And when you came to the end of the war, you not only had security against France, but you had the Bourbons restored to Paris, and restored in the form which was most flattering, at all events, to the victors, the authors of the programme —the overpowering pressure of foreign armies. I really do not know why the right hon. Gentleman should seek to pledge us to the adoption of such very strong doctrines with respect to the entrance into a Congress, and with respect to the character of the peace—matters upon which, as far as I know or am aware, the information of the Government is at present imperfect information, and with respect to which, therefore, we think it right to observe a greater degree of reserve at least, if not of caution and circumspection, than the right hon. Gentleman has done in making this very early declaration of his opinions. Upon one point more I entirely agree with the right hon. Gentleman—namely, his adjuration that we should do our best to make it permanent. Let him impress upon the Government, let him impress upon the House, let him impress upon the people with all his power and authority, the duty of studying by caution and moderation, in word as well as in deed, the duty of striving to make peace permanent in Europe. In that object I am convinced he will find that he has the hearty and cordial co-operation of Her Majesty's advisers. But with respect to the process, the means, and the measures which they are to adopt, agreeing with him in regard to the end, they must claim for themselves full liberty of choice; and they must also decline to deliver a conclusive judgment upon subjects of such vast importance until they have the advantages of more extended light and greater knowledge than the circumstances of the present day and moment can afford them.

MR. BRIGHT: I am not sorry that I had the opportunity of hearing the speech of the Chancellor of the Exchequer before I was permitted to address the House. I am sure the House will understand me when I say that I have listened to large portions of his speech and of that of his predecessor in office with great satisfaction. As far as the right hon. Gentleman opposite (Mr Disraeli) is concerned, I think that my hon. Friend the Member for Rochdale (Mr. Cobden), myself, and others who have generally acted with us may consider him a convert to the views which we have very often expressed in this House. I recollect that Sir Robert Peel on one occasion made a speech of very much the same tenor, and hon. Gentlemen opposite charged him with being a convert to our views. I believe that any man of intellect and genius who may lead that party to which the right hon. Gentleman belongs, and none other can lead it with any success, will, as time rolls on, more and more adopt those principles of political economy and of foreign policy which we have felt it our duty to propound to the House and the country. The speech of the right hon. Gentleman the Member for Bucks, and, in fact, also, that of the Chancellor of the Exchequer, was a speech upon two subjects, the first part being devoted to finance and the second to the question of foreign policy; and perhaps the House will allow me to make a few observations in the same order. The budget of the Chancellor of the Exchequer has, I think, met with general satisfaction—at least with as much satisfaction as generally falls to the lot of unpleasant propositions of this nature; but I may say for myself that whatever approbation of it I have to express arises from the fact that it is a proposition confined to a single year, and that the right hon. Gentleman himself has suggested to the House that next year it will be necessary to take a general and more comprehensive review of the whole question of our finances and taxation. I shall, if the House will permit me, state one or two reasons why I feel particular satisfaction at the temporary nature of the plan which the right hon. Gentleman has proposed. I believe that, notwithstanding all that Chancellors of the Exchequer may say with regard to the advantages of the income tax, it is as hateful as ever it has been to the people, and I believe it to be hateful chiefly because it is unjust. I shall not now enter into the question which has been so often debated, whether the tax ought to continue to be levied at the same rate upon fixed and precarious incomes, because I think that, whatever we may say, every one feels that that is a fixed injustice and a fixed wrong which it is utterly impossible that you should ever work out of the minds of the people of this country by whom the tax is paid. Just before coming into the House I had in the lobby an interview with some gentlemen who have come up to town to protest against the continuance of this injustice. I made this answer to their representations:—"I agree with you entirely. I think the tax odious beyond all others that I know of, and odious beyond all others, because it is unjust beyond all others; and I will never consent that in its present shape it should be made a permanent tax. But the Chancellor of the Exchequer proposes it for one year, under an emergency which some people suppose to have arisen. Therefore, I am obliged to consent to it this year; but if I am here next year, and any proposition is made for its continuance in its present shape, it shall receive no countenance from me." But there is another ground on which I should have to object to this tax, and at which I will now only just hint. It is not a pleasant view of the case for hon. Gentlemen opposite or for those whom they chiefly represent. When the time comes I am prepared to show that the income tax presses upon all capital employed in shops or manufactures with double the weight that it does upon that which is employed strictly in the cultivation of the land. I am sure that hon. Gentlemen opposite will see the injustice in one particular—namely, that farmers in England, if I am not mistaken, pay on a rate of income calculated upon half their rent, while farmers in Scotland pay only upon an income calculated upon one-third of their rent. I know no reason for differences of that kind. I do not think they should exist. You may tolerate them for a single year—we can tolerate a great deal if we think it necessary to maintain the honour or interests of the country, or even for the convenience of Parliament at times—but you cannot tolerate them as parts of a permanent settlement of a question of taxation. There is another ground upon which I should wholly object to the course which the Chancellor of the Exchequer is taking if he was making his arrangement for more than a year, and in adverting to this I must call his attention to measures of great importance, which were much boasted of at the time, and to which he prevailed upon Parliament to assent in the year 1853. I hold that, whatever be our taxes—let us have £50,000,000, or £70,000,000, or £100,000,000 a year—and I know not but we may live to see taxation grow up to £100,000,000 a year as heedlessly as we have seen it grow up to £70,000,000—whatever be the amount of our taxes, let us endeavour to do honestly by our countrymen; not pressing the poor, whether our taxes be heavy or light in the main; laying them on with a stronger and more resolute hand upon property, but in dealing with property, dealing just as honestly with its owners as we should deal with the poorest subjects of the realm. I take the taxes on successions of every kind—probate duty, legacy duty, and the tax levied under the Act of 1853—to be strictly in their nature all property taxes. They are taxes which are collected or intended to be collected as part of every man's possessions and property which change hands on the death of their owner. Those who are poor—those whose means are nothing—of whom there are unfortunately many in this country—who make no wills, for whom no one takes out letters of administration, who have nothing to leave as a fortune or a little property to their children, are not directly interested in this matter; but all other classes of society are directly interested in it; and I say that, whether a man be employed in manufactures or have property in land, in the Funds, or in stocks and shares of any kind, he has a fair right to appeal to this House that in the imposition of taxes of this nature there should be the most just regard that is possible for the interests of all those whom the law is intended to affect. I shall tell the House in a few words of what I complain, and what I shall move next year before anything be done to re-impose the income tax. The Chancellor of the Exchequer in his budget speech of 1853, where he introduced that not very welcome guest to hon. Members opposite, the succession-tax, adverted to the probate duty, which he said ought fairly to be levied upon all kinds of property, and not confined to one description alone. The hon. Member for Lambeth (Mr. W. Williams) has brought that duty repeatedly before the House, and has shown that £40,000,000 or £50,000,000, if not more, have been paid into the Exchequer by taxes upon probates and legacies, all of which have been collected by taxes on personal property, from which real and freehold property has been entirely exempted. I do not believe that any hon. Gentleman on the opposite side of the House feels that there ought to be this gross inequality. The probate duty in 1858 raised to the Exchequer a sum of £1,338,000, and next Session I shall ask the Chancellor of the Exchequer why it is not extended, as it ought to be, to all property which passes by death from one owner to another. It was curious to observe that the right hon. Gentleman in his speech the other night—it was not quite so long as one he made before, but it was none the worse for that—did not refer to what was said to be the greatest effort of his financial genius. In 1853 everybody said there never was such a Chancellor of the Exchequer. He persuaded the country gentlemen to pass a Bill which inflicted upon them, as they allege, the very same succession duty as the law imposed upon personal property. What did the right hon. Gentleman say upon that occasion? He calculated that in the following year, 1854, the succession-tax would produce £500,000 to the Exchequer; in 1855 an additional £700,000; in 1856 an additional £400,000; and in 1857 an additional 400,000. It will thus be seen that he anticipated the annual produce of this tax to amount in 1857 to £2,000,000. If his calculation had turned out to be correct, the succession duty would have yielded up to the present time no less a sum than £9,300,000. What has been the actual result? I cannot give the exact figures, because the Board of Inland Revenue say they cannot separate that which has been received from the succession tax of 1853 from that which has been received from the old legacy duty. But, adopting the mode which was pursued by the Chancellor of the Exchequer the other night, I can inform the House that the legacy duty in 1852, before the succession-tax came into existence, produced £1,380,000, whereas the legacy and succession duties combined yielded in 1859 the sum of £2,211,000, being an increase of £831,000. From that sum, however, I must deduct the increase of the ancient legacy duty in the interval between 1853 and 1859, and I ought also to deduct something, but unfortunately I have no means of ascertaining what, for that description of property which the Chancellor of the Exchequer in 1853 called rateable property, and which he withdrew from the legacy duty, and put under the succession-tax at a much smaller amount. Passing that by, however, and deducting only £50,000 for the increase of the old legacy duty, I find that the succession-tax, from which the Chancellor of the Exchequer expected two years ago to receive £2,000,000 a year, brought in last year no more than £781,000. How came the Chancellor of the Exchequer, he that understands his business so well, to make so grievous a mistake as this? I shall tell the House how it was. It is an odd thing that he could make such a mistake, but it is still more odd how any one could be taken in by such a mistake when made. The tax was not what it pretended to be; it was not a succession-tax upon the value of property passing from one person to another, but something very different; and the Chancellor of the Exchequer, while he undertook to adjust a great inequality, established another just as great and as offensive. I do not blame him for what he did; perhaps it was all he could do at the time; but surely he was deficient in acuteness when he supposed that his new tax would in 1857 produce £2,000,000, whereas in 1859 it yielded only £781,000? How the tax has been so unproductive is easily explained. If a man dies and leaves £10,000, which is in the Funds, or in the North-Western Railway, or in ships, or in machinery, or employed in trade—what is done in reference to that £10,000? I will take the case of the 10 per cent duty—that is where there is no kindred; £10,000 left by one man to another, where there is no relationship, would have to pay a tax of £1,000 to the Exchequer. But, supposing the £10,000 were invested in land, or in that rateable property which is the new distinction that the right hon. Gentleman establishes, what would be the result? Take two men, one twenty-two and the other eighty years of age. You would find that the Inland Revenue Board would turn to a table, which would say the man of eighty has a life worth three or four years only, and the man of twenty-two has a life worth twenty or twenty-five years; and they would then take the £10,000 and multiply it by the number of years supposed to remain to the young man and to the old man, and thus come to the sum which each would have to pay. I was fortunate enough to have a small property left to to me by a person of whom I had no knowledge. I never saw him. He was an old gentleman, a great friend of peace, and opposed to the Russian war, and seeing that my hon. Friend the Member for Rochdale and myself were very strenuous in our opposition to that war, he did what was in his power to make us some compensation. I think I sold the property for £1,400 or £1,500: and when I came to pay my legacy duty—that is, the succession tax—I was greatly astonished at the small sum I had to pay. My age was taken; an estimate of the annual value of the property was made; and I was told that I had to pay something like £40 or £50. If the property had been in the Funds, or invested in any of the other modes to which I have referred, I should have had to pay £140 at least. Take the case of an hon. Gentleman on this side of the House who has been more fortunate than myself. A property worth £32,000 was left to him by a person who was not a blood relation. If it had been in the Funds, or in ships, or in railways, or employed in trade, the succession duty would have amounted to £3,200. What did he pay? He is not an old man—younger probably than the average of Members in this House—and yet, upon the property being valued and a calculation made of the number of years he had to live, he found that he had to pay, not £3,200, but £700. Is it consistent with fairness—with our personal honour—for, after all, that is a quality which enters into these questions—with our duty to the public, that we, sitting here as a representative body, should take one class of property, the most solid and durable, attracting to it the most of social and political advantages, having in it the greatest certainty of accumulation and improvement from the general improvement in the condition of the people, and charge it to the extent of £700, while at the same time we impose £3,200 upon another class of property not more valuable and far more fleeting in its character? I think the reason why I should object to a permanent re-imposition of the income tax will now be obvious to the House. I should object to it with all the force I am capable of until the taxes which now exist are put on a satisfactory and honest footing, so that every man and every description of property may be called upon by the State in its just proportion to support the burdens and the necessities of the State. I do not intend beyond this to refer to the proposition which the Chancellor of the Exchequer has made. I have only now referred to it that I may lay the ground for the course which I shall take in another Session of Parliament, if this question comes before the House again; and I believe that that course will be sanctioned by a large number of Members here, and will meet with almost unanimous approval from all the honest men who are taxpayers in the kingdom. But this question of the mode of levying taxes is apart from a very serious question referred to by the right hon. Gentleman—that of our growing and frightful expenditure. The Chancellor of the Exchequer said, and very justly, that up to 1853 in the great departments of the expenditure there had been no great increase for many years. I confess that, although I have been protesting Session after Session against this growing expenditure, I was not fully aware of the enormous increase which has taken place until I compared the present year with 1853 and some preceding years. I find that in 1853, on the Estimate of the right hon. Gentleman, the expenditure was only £50,782,000, while the expenditure in the current year is £69,207,000. The House must bear in mind that that would be somewhat an unfair picture, because since 1853 there has been a sum of money charged to the

Mr. Bright

expenditure which formerly went in the collection of the revenue. Making every allowance, however for the £4,740,000 which is disposed of in this way, the expenditure has positively increased in the interval by £13,685,000. The right hon. Gentleman opposite (Mr. Disraeli) was not, I think, quite correct in his statement respecting the Miscellaneous Estimates; but there can be no doubt that the great and serious item in our outgoings is that of armaments, and I find that the military and naval expenditure of the country has risen from £17,000,000 in 1853 to upwards of £26,000,000 in 1860. Now, I should like to ask the House two or three quiet, serious questions, on this matter. The hon. Member sitting here just now (Sir Charles Napier), who commanded the Baltic fleet, and who represents the Borough of Southwark, has left his place, and I am very sorry for it, because I should have liked to ask him two or three questions. Does the House believe that we are now more or less safe than we were in 1853 from a foreign war, and particularly from an invasion of this country? We have men—the right hon. Gentleman has referred to them—who are afflicted with a periodical panic. There is no complaint, I believe, so incurable as that. One fit begets another, and every fit seems so to enfeeble the constitution of the patient that each succeeding attack becomes more alarming than the last. We have two or three newspapers in this city which appear to suffer in this way. One, which is supposed to represent a particular trading interest, pours forth from day to day, from week to week, from month to month—I know not at whose instigation, I know not if at the instigation of any man save the editor—the most foolish, but the most bitter invectives against the French Government, and by that means against the French nation. I say against the French nation, because I hold that, no matter whether we approve the Government now existing in France or not, if we had such a Government, and some foreign nation through its press were constantly insulting that Government, we should take not a small portion of those insults to ourselves, and we should become proportionately irritated against that nation. Take another paper, *The Times*, which, unfortunately and untruly, is believed on the Continent to represent the opinions of the English people. Who is there on that paper—let him stand forward if there be such a man—who has a bitter personal animosity against the Emperor of the French? Day after day, every form into which the English language can be pressed is made use of for the purpose of stirring up the bitterest animosity between two of the greatest nations on the face of the earth. Have these men published letters from Italy in vain? Have they told us of acres of bloody and mangled human bodies over which guns have been dragged and cavalry have galloped—have they told us of such scenes until a shudder has passed, I may almost say, through universal human nature—and yet have they not learnt for one single moment to restrain that animosity which, if it continues many months longer will place it beyond the power of this or any Government to prevent our being embroiled in a war with France? And it is not only the hon. Gentleman the Member for Southwark and such as he, it is not only the editors of newspapers, who suffer from and create these panics; but go into another and what is generally supposed to be a higher place, and what do you find there? Why, you hear some aged Peer turning back as it were to the convictions and the facts of his early youth, and delivering speeches which might have been somewhat in character with the barbarism of sixty years ago, but which are very unfit for our time and for our opinions. We find another Peer ["Order!"]—another Gentleman, then—making a speech. I believe I am transgressing by the mention of certain things which are too sacred for allusion here; but really I do not want to go into detail and point to persons in connection with this matter. What I say is, that throughout Europe every intelligent man who reads speeches of that character, whether made in this House or in another place, can only arrive at one conclusion, thoroughly false as I believe in my conscience it would be—namely, that these persons represent a very large amount of public opinion in this country, and that we have forgotten the disasters and the ruin entailed by the great Revolutionary War of which the Chancellor of the Exchequer has spoken, and are ready to engage in another conflict of equal duration and equal cost in blood and treasure, with a result as utterly bootless to England and to Europe. Look at our position with regard to France at this moment. We have a war just over. I do not know that I use the exact words of the right hon. Gentleman opposite, but I agree with him that there can be no peace in Italy between those two great

Powers which can compare for evil with the war which that peace has terminated. When I read of peace being concluded, I felt as though I could breathe more freely since the species to which I belong was no longer engaged in the fiend-like destruction of its fellow-creatures. What do we now find in the manifesto of the Emperor of the French just received in this country. He says he discovered—I am not now using his exact words—that he was making war against the mind of Europe. That is a most important and valuable admission, and I only wish the Emperor had found this out three or six months ago. He says, further, that the war was assuming dimensions with which the interests which France had in the struggle were not commensurate. I am surprised that a man reputed to be so acute did not perceive that he would be exposed to this great danger before he entered upon the war. But the two admissions made in this remarkable and memorable address prove to me that the suspicions which have been so studiously raised in this country as to the future objects of the Emperor of the French are altogether unfounded. I do not believe it possible for either the Emperor of the French or the Emperor of Austria to have returned home with all those scenes of horror, such as we have read of, flitting before their eyes, and I hope before their consciences, and to be now prepared to enter into another struggle—least of all a struggle with a nation like ours, containing 30,000,000 of united people, the most powerful, the richest, and, all things considered, perhaps the best satisfied with their Government of any nation in Europe. Besides this, have they not learnt something from the improvements effected in weapons of warfare, and the increased destructiveness of life of which those weapons are now capable? They see now how costly war is in money, how destructive in human life. Success in war no longer depends on those circumstances that formerly decided it. Soldiers used to look down on trade, and machine-making was, with them, a despised craft. No stars or garters, no ribbons or baubles bedecked the makers and workers of machinery. But what is war becoming now? It depends, not as heretofore, on individual bravery, on the power of a man's nerves, the keenness of his eye, the strength of his body, or the power of his soul, if one may so speak; but it is a mere mechanical mode of slaughtering your fellow men. This sort of thing cannot last. The whole thing will break down by its own weight. Its costliness, its destructiveness, its savagery will break it down; and it remains but for some Government—I pray that it may be ours!—to set the great example to Europe of proposing a mutual reduction of armaments. Our policy in past times—and the right hon. Gentleman did not go so far into this question as I could have wished—has been one of perpetual meddling, with perpetually no result except evil. We have maintained great armaments, not, I sincerely believe, because we wanted to conquer or to annex any territory in Europe, but in order that whenever anything happens in Europe we may negotiate, intervene, advise, do something or other becoming what is called the dignity of this great country. Do not you suppose this is precisely the language of the French Emperor at this moment? The Emperor of the French builds great fleets because you build great fleets; and then you build greater fleets because he builds great fleets. What does France want with great fleets? Precisely that which you have always wanted with yours. If there be any disturbance between any countries in Europe do you not think it would be beneath the dignity of France not to take a part in it, and, taking a part in it, not to take a part with that influence and success which becomes a great country like France? And, therefore, without wishing any more than England wishes to make conquests or to annex territory, France wishes to have great influence in Europe because it suits its dignity, and will add to the glory and historical renown of its Emperor. Well, now, that is exactly the position in which we are, and we have no more right to blame the Emperor of the French than he has a right to blame us. We are both very silly, and I hope, from what I have heard to-night, that at last we on this side the water are beginning to find that out. Now I shall not go into the question whether we are really going to be invaded. I am told that so much has been said about it that the French really believe we are making this outcry to cover our designs of invading them. I saw a letter in one of the newspapers this morning in which it is stated that from Dunkirk to some other town there are mounds and fortifications and guns all ready, though concealed from the eye by grassy banks, to repress and to frustrate our designs. Recollect that the French Government went into the Russian war because they were anxious to associate themselves with the foreign policy of England. Subsequently they went into another war with us with a more distant nation—they went into the war with China. They took part with the noble Viscount now at the head of the Government in the interference which he promoted in Italy with regard to Naples some two or three years ago. It appears to me, that looking at it from every point of view, reading the newspapers, and hearing what everybody has to say, if there be one thing which is more distinctly marked in the policy of the Emperor of the French since his accession to the throne of France than another, it is his perpetual anxiety, by every means which is consistent with his own safety, and with the interests as he believes of France, to ally himself with England and with the foreign policy of England. Well, if that be so, why should we perpetually create these suspicions, and generate in the minds of the people, nine-tenths of whom have small opportunity of ascertaining the facts, alarms which give colour and justification to this enormous increase of our armaments, of which we have heard such loud complaints from both sides of that table to-night? I shall not go into the question of this Conference. At the first view my opinion would go very much with the right hon. Gentleman (Mr. Disraeli). I doubt very much—indeed, I ought to say, I do not doubt, but I feel sure—that if England is to go into the Conference merely to put its name to documents which are of no advantage to Italy, which do not engage the sympathies of this nation, England had much better have nothing to do with it. But there is another course which I should like to recommend to the noble lord who now holds the seals of the Foreign Office. I cannot believe that Frenchmen in matters of this nature are so very different from ourselves as some people wish to teach us. I do believe that the 36,000,000 Frenchmen engaged in all the honest occupations of their country, as our people are engaged here, are as anxious for perpetual peace with England as the most intelligent and Christian Englishman can be for a perpetual peace with France. I believe, too, because I am convinced that it is his wisest course and his truest interest, that the Emperor of the French is also anxious to remain at peace with this country, and the people in France are utterly amazed and lost in bewilderment when they see the course taken by the press, and by certain Statesmen in this country. Well, with that belief what would I do if I were in that responsible position?—for which, however, I know that I am thought to be altogether unfit—but if I were sitting on that bench and were in the position of the noble Lord, I would try to emancipate myself from those old, ragged, worthless, and bloody traditions which are found in every piegonhole and almost on every document in the Foreign Office. I would emancipate myself from all that, and I would approach the French nation and the French Government in what I would call a sensible, a moral, and a Christian spirit. I do not say that I would send a special envoy to Paris to sue for peace. I would not commission Lord Cowley to make a great demonstration of what he was about to do; but I would make this offer to the French Government, and I would make it with a frankness that could not be misunderstood; if it were accepted on the other side it would be received with enthusiasm in England, and would be marked as the commencement of a new era in Europe. I would say to the French Government, "We are but twenty miles apart, the trade between us is nothing like what it ought to be, considering the population in the two countries, their vast increase of productive power and their great wealth. We have certain things on this side, which now bar the intercourse between the two nations. We have some remaining duties which are of no consequence either to the revenue or to protection, which everybody has given up here, but they still interrupt the trade between you and us. We will reconsider these and remove them. We have also an extraordinarily heavy duty upon one of the greatest products of the soil of France — upon the light wines of your country." The Chancellor of the Exchequer, and perhaps the right hon. Gentleman opposite, may start at once, and say that involves £1,500,000 or £1,200,000. Why, the right hon. Gentleman talked of the national debt being a flea-bite. What is £1,200,000—what is £1,500,000, if it be so much as that—what is £2,000,000 for the abolition of the wine duties or their reduction to a very low scale if by such an offer as this we should enable him to do that which he is most anxious to do. The only persons whom the French Emperor cannot cope with are the monopolists of his own country. If he could offer to his nation 30,000,000 of the English people has customers, would not that give him an irresistible power to make changes in the French tariff which would be as advantageous to us as they would be to his own country. I do believe that if that were honestly done, done without any diplomatic finesse, and without obstacles being attached to it that would make its acceptance impossible, it would bring about a state of things which history would pronounce to be glorious. The tone taken to-night by the right hon. Gentleman the Member for Buckinghamshire and by the right hon. Gentleman the Chancellor of the Exchequer, will find a response to the country. I am not accustomed to compliment the noble Lord at the head of the Government. I have always denounced the policy which I thought wrong, but which, I have no doubt, the noble Lord thought was best calculated to promote the interests of the country. I believe he was mistaken, and that he was importing into this century the politics of the last; but I do not think it would be possible to select a Minister who could better carry out a policy which would be most just to France, and most beneficial to ourselves, than the noble Lord. Blood shines more, and attracts the vision of man, more than beneficent measures. But the glory of such measures is far more lasting, and that glory the noble Lord can achieve. I live among the people. I know their toils and their sorrows, and I see their pauperism—for little better than pauperism is the lot of vast numbers of our countrymen from their cradles to their graves. It is for them I speak; for them I give my time in this assembly; and it is in heartfelt sorrow for their sufferings I pray that some statesman may take the steps which I have indicated. Those who establish such a state of things between France and England will do much to promote the future prosperity of those two great nations, and will show that eighteen hundred years of Christian professions are at length to be compensated for by something like Christian practice.

Lord JOHN RUSSELL: I wish only to add a few words to what has been said, and principally to observe how fully I concur with the hon. Member for Birmingham in the sentiments which he has expressed. I confess that I have seen with pain the attempt that has been made to induce a feeling in this country against the Sovereign, and, I must say, against the people of France—attempts which can only produce on their part a feeling of animosity

against the people of this country. I do not wish to enter into the question as to the general origin of wars; but looking back to the wars which have taken place between great nations that they have been less the consequence of ambition—less owing to disputed claims to territory—than of some particular feeling of insult or animosity, sedulously encouraged, and aggravated into that feeling of pride which belongs to a great nation, until trifling occurrences have produced war, which under other circumstances would have been passed over or explained away by diplomatic correspondence. It is therefore that I feel with my hon. Friend that there is something dangerous, not in the present disposition of the Emperor of the French or in the present disposition of the French people towards this country, but in the constant endeavours made to excite in the people of this country jealousy or alarm as to some deep plot laid against our peace and security. That fear is readily imbibed. The people are urged to prepare to defend themselves when there is no cause, and I must say that bad as are wars of ambition, wars of panic are equally bad. I believe, as my hon. Friend says, that whatever reproaches may be cast upon the Emperor of the French as to various questions of his domestic and foreign policy, yet that as regards this country—and I have often repeated it—he has been a faithful ally to us; and I believe also that upon any great question which may arise his wish is to obtain the concurrence and the approbation of the people of this country. I believe he highly estimates the good sense and intelligence of this country. He duly estimates our power, and sets a great value upon the opinions which we entertain. What must be the effect, then, of this continual invective and declamation to the people of this country to "arm—arm,"—as if an invasion were certainly to be expected? Such being my feeling towards the Emperor of the French, it is another question as to what we shall do with respect to armaments and those other matters to which my hon. Friend has referred. Eleven years ago, in the reign of Louis Philippe—a most peaceful Sovereign—I remember saying that we must not omit to take notice that a great change had taken place in the means of war; that that upon which we had hitherto relied—namely, the uncertainty of the winds and waves, and the difficulty of crossing the Channel, were no longer any protection to us, and that consequently our defensive preparations must be changed in character and augmented in proportion. In saying that, I meant no offence to Louis Philippe, the then ruler of France. In saying so now, I mean no offence to the present ruler. I merely say that as a nation, however desirous we may be for peace, however anxious we may be to avoid war, yet, that as one of the great nations of the world, whose interference is constantly invoked, and who must be consulted, we must be prepared to play our part. I do not say whether it is wise or not to enter into every Congress or Conference. I agree with the hon. Gentleman that for this country to enter into a Conference merely to set her seal to terms which this country does not approve, would be most unbecoming and most fatal to our character. On the other hand, if there is in Europe, and especially in one kingdom of Europe, a feeling of dissatisfaction and alarm; if this feeling continues every day to increase; if it is likely, if still further excited, to lead to a war, or to that which is the most fatal of all wars, civil war; and if the influence of England can allay those feelings, and make the peace concluded more solid and more satisfactory,—then I say it would not be unbecoming in England to confer with the other Powers of Europe with that object in view, and with the honest intention of endeavouring to effect it. My hon. Friend says that we should make some proposition to France as regards the duty upon French wines. As far as the Emperor of France is concerned, he has always been anxious to diminish these protective duties, which are, I believe, far more injurious to the people and industry of France than to any other nation. But I remember a Statesman not attached to the French Emperor—a Statesman belonging to another order of things—saying, "Whatever I may think in other respects, no reproach can be cast upon the present Emperor of the French upon the subject of Free Trade. Everything that it is possible of the ruler of a country to do he has done; if he endeavoured to go further he would merely be defeating his own objects, which are as liberal as can be." For this reason I should be very loath to enter into any sort of correspondence or discussion with the French Government which should induce that party, not very numerous in this country, but still very powerful and numerous in France—I mean the Protectionists — to say, "Our Government has been bargaining away our industry and the fruits of our toil in order to obtain some advantage for England." I remember this question being brought forward thirteen years ago by the hon. Member for Stoke (Mr. Ricardo). It was at that time opposed by Sir Robert Peel, who was then an advocate for reciprocity; but a short time afterwards he became a convert to the opinion that the true course was to admit foreign goods without any sort of stipulation for reciprocity; that it was most advantageous to us to leave it to other countries to follow our example when they were convinced that it was a measure with no selfish benefit to us, but was as good for them as for ourselves. The benefit conferred by a free trade between two nations is mutual: so far from being a bargain in which one party gains and the other loses, both parties gain. I should therefore be sorry that this question should be made the subject of a diplomatic correspondence. I believe it will be promoted by the Emperor of the French as far as the progress of public opinion in France will permit him. I do not think that I have anything further to add, but to say that I have heard with great pleasure the sentiments of my hon. Friend the Member for Birmingham. I trust that neither what has passed in another place, nor what passes from day to day in the shape of invective, will raise any feelings of jealousy with regard to any foreign Power, but that the Government will always be able to point to the representatives of the English people in this House as in favour of the maintenance of the peace throughout the world. As regards other nations I see no disposition to infringe upon our rights, and I trust we shall be able to remain at peace with all the world.

VISCOUNT PALMERSTON: Sir, most of the questions referred to by the Chancellor of the Exchequer will be more fitly considered when the House has gone into Committee; but I cannot be silent after hearing from the right hon. Member for Buckinghamshire (Mr. Disraeli) a statement that has been made more than once, but which is quite erroneous. The right hon. Gentleman repeated to-night what was said by the late Under Secretary of State for Foreign Affairs the other night, and as to which I did not think worth while to trouble the House. It was this—that I said, when this Government was formed, they had nothing better to do than to follow the footsteps of the late Government with regard to foreign policy. I said no such thing. What I said was, that on the question of neutrality in the war—on the question whether England should take part in the hostilities then going on—I entirely approved the course which the late Government had taken, and in that respect was determined to pursue the course which the late Government had commenced, and which was in accordance with the opinions and interests of the country. But I am so far from pronouncing unqualified approval of the foreign policy of the late Government, as that statement would imply, that I believe I gave offence to the late Government by condemning their foreign policy as far as regarded the manner in which they had endeavoured to prevent the war from breaking out. That which I stated repeatedly, and which I repeat now as my own individual conviction is, that had the late Government employed the means which were in their power, and which I contend they ought to have employed, they might have prevented the rupture between France and Austria. That was my opinion; that is my opinion still. I have no doubt that they had the best intentions, and the papers they have produced show that to the extent of their ability they carried out their intentions. But I say that they failed, and they failed from not understanding and seeing in what direction their exertions ought to have been applied. I speak thus from what is known to all the world—from the language used by the Government in both Houses of Parliament as to the question at issue. It was encouraging to Austria; it was defiance to France. The whole meaning of the language of the late Government was this:—war is impending, and if it break out England may be drawn into the contest; and it is plain from their language that the side on which they imagined England would be drawn into the contest was the side of Austria. Their notion was that to prevent war they ought to threaten France. The result shows, that if they had taken the other line, and by firm and friendly advice dissuaded Austria from the course which she took, the war might have been prevented. I think it necessary to say this, because here and in other places it is stated with a flourish of drums and trumpets that I have stated that we have nothing to do but to follow the path of the late Government as regards their foreign policy, and I think it due to myself to set myself right on that point. The right hon. Gentleman deprecates in the strongest manner this country engaging in a Congress or Conference on the present state of affairs in Italy. It is, as my right hon. Friend the Chancellor of the Exchequer pointed out, a most extraordinary doctrine on the part of a Government which not longer than the moment immediately preceding the commencement of the war used every effort to persuade the Powers of Europe to go into a Congress, of which this country must have been a member. And what, I should like to know, would have been the object of that Congress? The right hon. Gentleman says, "Do not go into a Congress or a Conference, because you may be involved in engagements and undertake responsibilities which may be an embarrassment to this country." For what purpose, I ask, would the Congress have assembled which the late Government so earnestly recommended, unless it was to enter into certain engagements to which this country would have been a party? If the object was not to obtain some engagement that neither France nor Austria should interfere by force of arms in the internal affairs of Italy—if that, as everybody understood, was not the main purpose, I should like to know for what purpose the late Government urged the assembling of a Congress, and what was the object the Congress was to obtain with a view to the preservation of peace? My right hon. Friend has reminded the right hon. Gentleman that wars have sometimes —and in recent periods too—realized the objects for which they were undertaken. He has pointed out that, especially with regard to the Russian war, more was accomplished by the treaty of peace than was contemplated as possible at the moment when hostilities commenced. But with regard to that war I must set the hon. Member for Birmingham right. When he represents that England urged France into that war he should recollect how the war commenced. It arose out of disputes between France and Russia with regard to the Holy Places in the Levant, and therefore it was a dispute between France and Russia which brought us into that war.

MR. BRIGHT: I did not say that England urged France into that war. I said that at the last France would have been glad to accept the arrangement proposed by Russia, and that France went into the war because she did not wish to be dissociated from the foreign policy of England. I did not say that England urged France into that war.

VISCOUNT PALMERSTON: It would be idle to go into a discussion of exact words. But as the question has been raised as to the interposition of this country in the affairs of other States, and the impression has very often prevailed in the public mind that the interposition of this country has been either causeless or mischievous, I wish to remind theHouse of several occasions upon which that interposition has been exerted, and I would point out to the House that the results have been favourable to the interests and happiness of the country with regard to which we interfered. England interposed with regard to the affairs of Greece; and what has been the result? Why the result has been that Greece, established as an independent country, has now the benefit of a constitution; and although there are circumstances connected with the Government of Greece which we do not entirely approve, yet, comparing the state of Greece now with what it was at the period when our interposition took place, it is impossible to deny that the people of Greece are happier and more prosperous than they were in their former condition. We interposed in the affairs of Belgium; and what has been the result? Why the result is, that the Belgian people are as well governed, as prosperous, as happy, as loyal, and as attached to their Government as any nation on earth. We interposed in the affairs of Portugal; and what has been the result? Why the result has been that instead of Portugal having a despotic Government, full of abuses, Portugal has now a Parliamentary constitution somewhat resembling our own, and is making great progress in everything connected with the internal happiness and welfare of the people. We interposed in the affairs of Spain; and what has been the result? The result of that is, that instead of Spain being, as it was in the preceding period, alternately under an arbitrary and despotic Government and a chaos of revolution, she now enjoys a Parliamentary constitution, and Spain is also happy and contented, and making rapid advances in internal prosperity. We interfered also with regard to the slave trade; and I am happy to say that the result of our interference has been that millions of Africans — I say deliberately, millions of Africans—owe to our interference exemption from the greatest possible of calamities. I speak of the numbers who of late years have escaped, and of the numbers who in time to come will escape being sent over to Brazil and all the horrors of slavery. I say then it is not enough simply to condemn the course of the English Government because they exert the influence of England upon matters relating to foreign countries. You must see what the result may be, and if by interference a beneficial result has been obtained, instead of condemning the Government, it appears to me you ought to acknowledge that the Government make a proper exercise of the influence which belongs to us as a great country. The right hon. Gentleman made a very eloquent discourse on the calamities of war. Everybody agrees about that, but it should be remembered that, altering a word of the poet, "Peace has its miseries as well as war;" and that whatever calamities have fallen on a part of Italy in consequence of the war which has just terminated, the miseries which the Italians have suffered through peace for a great number of years are matters of no light consideration, and ought not to be viewed as if belonging to a condition which it was a crime to disturb. I hope that the peace which is now made will not carry with it a repetition or continuance of those evils. But depend upon it that those who do not attach sufficient importance to the miseries which the Italian nation has sustained by misgovernment for a great number of years past show that they are not fully acquainted with the matter upon which they are prepared to express an opinion. My noble Friend stated that whether we should be parties to a Conference or not was a matter still under consideration and would depend upon circumstances. But undoubtedly no Government of this country would recommend that England should be a party to a Congress simply to register the edicts—simply to register the arrangements made by other parties, without the previous consent and concurrence of England in them. We may enter into a Conference for the purpose of improving arrangements not finally concluded and still open for consideration; but it is no part of England's duty to make herself simply the recording agent of transactions in which she has had no part or voice. No doubt, as has been stated, the recent improvements of mechanical science connected with the operations of war may apparently have added to the bloodshed with which war is attended. But I believe that if you look back to the casualties in battles in former and in less remote periods you will find that comparing the number of men engaged the loss of life is about the same, and that, for instance, at Borodino and Leipsic the loss of life and casualties on the two sides, in proportion to the numbers engaged, were quite equal to the losses and casualties in recent battles. Indeed, recent events rather lead me to believe that the improvements in the methods of destruction will tend, as was the case through the introduction of gunpowder, to diminish rather than to increase the carnage which attends great battles. I quite concur with the right hon. Gentleman the Member for Bucks and my hon. Friend the Member for Birmingham in that which they have stated as to the result which is likely to be produced by that tone of hostility—for it amounts, more or less, to that—which is but too often adopted in this country towards the Emperor of the French and the nation which he governs. We have no right, I contend, and certainly it is not to our interest, to constitute ourselves the censors of the manner in which any foreign Sovereign may rule the nation of which he happens to be at the head, so long as that nation is satisfied with the mode in which its affairs are administered. Our business simply is to look upon the acts of a Sovereign who is in alliance with us with reference to the manner in which the duties of that alliance are performed; and I feel assured that nobody can fairly refuse to acknowledge, with my noble Friend the Secretary for Foreign Affairs, that the Emperor of the French has been the faithful and true ally of England, both in times of peace and of war; and that we have every reason to regard him as a monarch who feels personally, and upon system, desirous to cement and perpetuate the alliance which subsists between his country and our own. That such a feeling exists is, however, I admit, no good reason why we should not place ourselves in a state of defence. A great nation like England, with so much wealth to protect, and so many interests in every part of the world to secure, has no right to rely for her safety on the mere forbearance of other powerful States. It is not even fair towards them that we should be content to occupy a position of undefended weakness, when we take into account all those questions which must from time to time arise between different countries in which conflicting interests are at work, which may be complicated by passion and prejudice, and in dealing with which we can scarcely expect that foreign nations should, out of forbearance and friendship towards us, abstain from giving effect to that superior power which our negligence in providing adequate means of defence may confer upon them so far as we are concerned. There is nothing, therefore, I maintain, at all inconsistent with a desire upon our part that the alliance between England and France should endure in our making every provision which may be deemed requisite for the purpose of placing this country in such a position as that she need be under no apprehension of being attacked by any neighbouring or more powerful State. To take that course is, I feel assured, a policy not more becoming the dignity of the nation itself, than it is in accordance with a sincere wish to maintain friendly relations with other Powers. I would also remind those whose eyes are directed chiefly to France in connection with this subject, that there is also another great country (Russia) whose daily endeavour is to restore and increase her fleet in the Baltic. We must recollect that the course of events is such that it is not one Power only with which we might be brought into collision, but that there are possible complications of affairs which might lead to a conflict between England and more than one foreign nation. While, however, I make these remarks, I quite concur with those who think that nothing can be so adverse to the interests of the country—I may add, nothing more inconsistent with the dictates of common sense—than that we should, in the same breath, proclaim to the world that our shores are undefended, and use language calculated to irritate and provoke that Power from which hostilities are said to be expected, and which it is declared we are altogether unable to resist. I deny our inability to resist any Power whatever; but if our position were even such as some persons seem disposed to believe, that very circumstance, I maintain, tends only to aggravate the folly of those expressions which I am sorry to say I see so frequently in print, to which I hear utterance given, and which can have no other effect than to exasperate the public feeling of the two countries. It would not be in accordance with human nature that, after a long course of rivalry between England and France, there should not lurk in some portion of the population of both nations certain remembrances and resentments connected with a state of things which has happily now ceased to exist. I am, however, strongly of opinion that we ought, instead of agitating those resentments, to endeavour to bury them in oblivion, and to turn the attention of the inhabitants of each country respectively to those interests which we have in common, and which are calculated to form a bond of union between us. I concur with my noble Friend near me in thinking that it is not expedient that England should enter into a treaty of commerce with any foreign State founded upon mutual arrangements of tarif. The country to which a proposal to enter into a treaty of that description is made very naturally supposes that some advantage is sought to be gained by those from whom the offer emanates. The wise course to pursue in such matters is to make for your own advantage such a diminution in your Customs' duties as you may deem calculated to promote your own interests. When foreign States perceive that you act simply from a conviction of the good which you expect to arise to yourselves from such a proceeding, and find that your policy has tended to the increase of your prosperity, and has added to your revenue and your commerce, they will, in all probability, be more likely to imitate your example than if you were to ask them to surrender an advantage which they imagine they possess. In discussing this subject with one of the Ministers of Trade of a former French Government I told him that if I were to consult simply the interests of England I should advise him to keep up the high duty on iron, inasmuch as so long as the price of iron in France was high the agriculture of the country would suffer and its machinery be impaired, while we should gain by the adoption of a policy of high prohibitive duties. I said also that so long as they imposed a high duty on the importation of our coal the article would be dearer, and that, so far from the interests of England being deeply involved in the maintenance of those large protective duties, we ought perhaps rather to urge upon France the propriety of keeping her prohibitory arrangements. But we know, also, that nothing which any one nation can do in the way of diminishing duties can be of advantage to her without also being of benefit to those countries with whom she trades. There cannot, therefore, on the ground of general principle, be any difference of opinion between Her Majesty's Government and the hon. Member for Birmingham. The only question between us is as to the mode in which the object which we seek should be obtained.

MR. BRIGHT, in explanation, said, he had made no proposal for entering into a treaty of commerce; but, in referring to the reduction of the wine duties, he stated that one of the benefits arising from it would be the promotion of increased intercourse between England and France, and that this could not fail of having a great effect on the relations of the two countries. With respect to treaties of commerce his views and those of the noble Lord were identical.

MR. SEYMOUR FITZGERALD said, it had not been his intention to offer to the House any observations on the present occasion, nor should he have done so but that some remarks had in the course of their speeches fallen from the two noble Lords opposite to which he was anxious to allude. The present discussion had turned in a great measure on the subject of foreign affairs, and he supposed it was the nature of the subject that had induced the two noble Lords to make such a display of their diplomatic skill. Indeed, three distinguished members of the Government had risen to address the House, partly, as it would appear, to attack the policy of the late Government, and partly to explain the meaning of a phrase which had fallen from the noble Lord the Member for Tiverton a few days ago, when he had stated that his foreign policy was the same as that which had been pursued by his predecessors in office. Now, it could not, he thought, fail to strike hon. Members that a very convenient opportunity would have been presented to the noble Lords to whom he alluded to make their comments on the policy of the late Government, if the Motion of which the noble Lord the Member for Haddingtonshire (Lord Elcho) had given notice had been allowed to come on. When, however, it was proposed to proceed with that Motion, the noble Lord the Member for London declared it to be his conviction that it would be inconvenient to the public service that such a discussion should take place. The Motion was one, he should remind the House, which had distinct reference to the conduct of the late Government, and it was framed by the noble Lord who was its author, because he thought it an act of justice, and he deemed it to be his duty as an independent Member of Parliament to ask the House of Commons to pronounce a decision as to the policy which the Earl of Malmesbury had pursued. A debate upon such a point would probably not have been very convenient to the Government. An appeal was accordingly made by the noble Lord the Member for London to the noble Lord the Member for Haddingtonshire not to bring forward his Resolution; and having thus got rid of a discussion in which the policy of the late Government might have been fairly placed before the House and the country, and, as he believed, fully vindicated, the noble Lords opposite and their colleague, the Chancellor of the Exchequer, seized a bye-time, a mere incidental opportunity, like this, when the subject could not possibly be adequately discussed—to impugn the policy of the late Government, and to contend that that of the Administration to which they themselves belong differed from it in many material respects. Be that, however, as it might, the noble Lord who had just spoken was quite in error in saying that all that he had stated on a former occasion in reference to the subject was, that he should adopt the same policy as was pursued by the late Government with regard to the maintenance of a strict neutrality. If the debate on the Motion of the noble Lord the Member for Haddingtonshire had been permitted to proceed it would have been found that the accord between the policy of the noble Lord and that of the late Government was much more complete than he had that evening presumed to contend was really the case. The noble Lord, in discussing the conduct of the late Government, had taken upon himself to inform the House that the late Government ought not only to have adopted the principle of neutrality, but he said they ought to have held such and such language towards Austria and France, thus pointing out distinctly the policy which he himself would have pursued; but if the question could be fairly gone into, it would be found that the language which the noble Lord indicated as that which it was desirable should have been held towards France and Austria was not only in spirit, but almost in the very letter, that which the late Government had used in addressing the Governments of Austria and France. There was one part of the speech of both noble Lords which he owned had filled him with anxiety. He did not think that any one could have listened to this debate without feeling satisfied that the two noble Lords had made up their minds to go into a Congress. They might say that this was still under consideration, and that they wanted further information. But hon. Members must feel convinced that if they could get into a Congress they would. The Chancellor of the Exchequer had, however, made an observation which had been taken up by both noble Lords, that the Members of the late Government could not complain of the present Government being desirous to go into a Congress, when the late Government themselves proposed to go into a Congress in which the various Powers of Europe were to take part. It was true that the late Government had proposed to go into Congress, but that was before a war and in order to prevent war. The circumstances were totally different, and he could not conceive the least analogy between the two cases. With reference to the Congress now in question, this was clear, that the Government must either go into Congress to alter the existing terms proposed for peace, or to accept them. If they were to go into Congress to alter the terms of peace, he wanted to know in whose interests were they thus to enter into Congress? He could not forget that the noble Lord (Viscount Palmerston) had once declared that he should not be content until the Austrians were driven out of Italy. Was that the spirit in which Her Majesty's Government were going into the Congress? Was the policy of neutrality thus to be lost which the late Government had originated before public opinion had declared itself, which they afterwards pursued, and which met with the approbation of the country? It was impossible to enter into Congress with that spirit and not to forfeit the position of neutrality which the country had declared should be the policy of England. The noble Lord had enumerated some occasions in which this country had interfered, and where our interference had been productive of good. The proper policy for this country to pursue was a single-hearted English policy, and it was not because good might have flowed to the subjects of a foreign Power from our interference that it was just to adopt a policy of interference. The noble Lord had enumerated some instances in which our interference had been productive of good results; but he had omitted others which he (Mr. FitzGerald) would venture to call to mind in which our interference had been productive of anything but good results. He did not know what good had followed, for example, from the noble Lord's interference in the affairs of Naples. On the contrary, when the affair of the *Cagliari* occupied public attention, the withdrawal of our Ambassador from Naples was found to be a great injury to the public service. There was another instance in which the noble Lord had interfered with the whole force of this country to gain some petty compensation for a man who pretended to be a British subject, but that interference was exercised in a manner which was no ways calculated to raise us among the nations. But the most remarkable instance of interference was that originated by the Government of which the noble Lord was a Member, which sent Lord Minto from one end of Italy to the other stirring up revolution, making promises that were never fulfilled, and leading the population of Italy to make sacrifices and incur dangers in anticipation of results which they never obtained. The noble Lord also interfered in Italy in 1848, when he refused terms of accommodation which were eleven years afterwards insufficiently obtained by the States of the north of Italy, after all those years of additional suffering, and after a sanguinary war. He trusted that some further opportunity would be allowed to the House for discussing this policy of a Congress. The present Session of Parliament was rapidly drawing to a close, and he trusted that there would be no objection to the production of the papers up to the time of signing the armistice. It would also be the duty of the Government before they went into Congress to take the earliest opportunity of explaining to the House their intentions, and to give such information as would enable Parliament to decide whether the opinions they had formed were really right and just. He could conceive nothing more embarrassing or more likely to lead, if not to hostilities, at least to estrangement with other Powers than this Congress. The late Government proposed a Congress months ago to prevent war. That war had occurred; England had had nothing to do with either the war or the peace, and the worst course she could take would be to accept the responsibility of peace, with which she had hitherto had nothing to do. If they were to go into Congress merely to make arrangements on the existing bases of peace, there would be some danger; but if these bases were to be materially altered, the Government were throwing aside their character of neutrality, and were embarking upon a still more dangerous course, which would result in a plentiful crop of embarrassment, disunion, dissension, and estrangement from other Powers. If these results should follow, the country, when Parliament met again, would hold the noble Lords fully responsible for all the evils that might take place.

SIR HARRY VERNEY thought that the only way in which the war might have been prevented would have been if Lord Malmesbury had from the first protested against Austrian misgovernment in Italy. This country could not pursue a policy of non-interference, and he believed that the House would never desire to see such a policy adopted.

MR. WHITESIDE said, that the hon. Gentleman who had just sat down contended that the policy of England was to obtain good government for other countries. He was sorry to say that there was a good deal of bad government everywhere; and if that policy of interference were indeed to be the policy of the Government, and if the hon. Gentleman were the faithful expositer of the noble Lord, he was afraid we were about to embark upon troubled waters. There was no principle of the law of nations which would justify our interference in the government of other countries, whether those governments were bad or good. He had never heard a sensible man speak of the war between France and Austria who did not say that from New Year's-day, when the Emperor addressed the Austrian Ambassador, it was the intention of France to interfere with the affairs of Italy. That speech bore a singular analogy to the speech of the First Emperor to Lord Whitworth, and from that time forth some interference in the affairs of Italy was expected in France. It would be necessary for the House to have before it the documents to show what were the terms of peace lately agreed upon. And then would arise the question, whether the terms of peace now obtained, after ten years of suffering, were not inferior in utility to Italy, to the terms of peace proposed to Lord Palmerston ten years ago, and refused by the noble Lord because Venice was not made a free State, and because an Austrian Archduke was to govern the smaller States?

COLONEL SYKES said, he entirely concurred in the proposition of the Chancellor of the Exchequer to raise the extra sum he now required on property. There must always be two modes of raising the revenue, direct and indirect, and the latter affected the bulk of the people more than the former. The right hon. Gentleman the

Member for Bucks had characterized the increased disbursements in various departments as a necessary consequence of the advancement of civilization in the country. If that opinion were accepted and acted upon there would be no limit to the demands that would be made upon the public purse. It had been represented that the chief increase in our expenditure had been caused by the enormous expansion of our naval and military departments. But that was not the fact, for he found from a statement which he held in his hand that there had been an increase in every department since 1835, and not so great a percentage increase in the military and naval as in other departments. In that year the outlay for the army was £7,000,000, and now it was £11,000,000, an increase of 55 per cent. The expenditure for the navy had advanced from £4,200,000 in 1835 to £12,680,000 in the present year, or an increase of 198 per cent. Grants and miscellaneous services, which in 1835 were £182,497, were now £808,844, or an increase of 342 per cent. In salaries and public departments there had been an increase of 139 per cent in the same period; the respective amounts being £591,000 and £1,413,495. For law and justice the outlay in 1835 was £494,000, and it had now swollen to £2,544,650, being an increase of 414 per cent. For education, science, and art, which no doubt did indicate the progress of civilization, the sum voted had increased from £135,190 in 1835 to £1,328,453, being an increase of 883 per cent. In the colonial and consular departments the increase had been only 49 per cent, and this was owing to the Colonies being permitted self-government. For special and temporary objects the outlay had increased from £269,000 to £677,000 last year, being an increase of 181 per cent. If our expenditure were to go on increasing for the next twenty-five years in the same ratio of increase as for the last twent-five years, a period must arrive when a financial disaster must ensue. At present the whole annual cost of our national debt was £28,000,000, while the produce of our Customs' duties was only £24,000,000; and it must be remembered that those Customs' duties increased greatly the cost of articles consumed by the poor. We had hitherto maintained our superiority by the aid of machinery, but now foreigners were generally adopting machinery; besides which labour was cheaper abroad than with us, so that competition must become stronger from year to year. It was therefore primarily incumbent upon us to diminish as much as possible our expenditure, for if matters progressed much longer as they had been going on since 1835, he believed there would be witnessed in this country a financial disaster that would alter our position in Europe.

Mr. W. H. LEATHAM asked the Chancellor of the Exchequer whether he contemplated this Session any extension of the system of penny stamps on bankers' cheques, so as to do away with the exemption at present enjoyed by persons who presented their own cheques for payment.

Mr. HORSFALL said, he did not intend to oppose the grant of money which the Chancellor of the Exchequer required, because he felt the force of the right hon. Gentleman's appeal to the patriotism of the House; still he thought that a gentleman of his ingenuity and experience could have devised some measure for raising the sum required which would not have pressed so heavily as the extra income tax would do on a certain class of persons in the country. He spoke of those who had to depend on incomes derived from professional sources and others with incomes varying from £150 to £500 per annum. The proposition of the right hon. Gentleman was in effect this: that 6½*d.* in the pound should be paid for the first six months of this year and 2½*d.* in the pound on the other six months. Now, he (Mr. Horsfall) should have been glad if the right hon. Gentleman had been satisfied with levying an additional 2*d.* instead of 4*d.* It was not for him to name what additional taxes might have been imposed, but he could not help thinking that some might have been laid on which would not have pressed so heavily as the extra income tax. Again, he believed that there might have been made certain reductions in the Estimates, although he felt inclined to make every allowance for the difficulties in which the right hon. Gentleman had found himself surrounded when called so suddenly to office. He hoped that before they met in another Session the right hon. Gentleman would direct his attention to the charges for the Miscellaneous and Civil Services, because he (Mr. Horsfall) believed that there might be a great saving effected if the Customs and Excise departments were united. If that were so, the saving in the expenditure of the country would be immense, and would be a source of satisfaction to the mercantile interests of the country. He most cordially concurred in voting the money for the service of the country which had been asked for by the Chancellor of the Exchequer. Had the amount been double that which was now asked for, the House and the country would support him in granting it for the national defences.

Motion *agreed to.*

WAYS AND MEANS.
CONSIDERED IN COMMITTEE.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER moved the first Resolution. In reference to the question addressed to him by the hon. Member (Mr. Leatham) upon the subject of the penny stamp on bankers' cheques, the right hon. Gentleman said that it was not his intention to do anything precipitately in the matter. The reason why he hesitated in proceeding with it this year was, that a question which had arisen respecting letters passing between country bankers and their correspondents in London required previous consideration; and he should not like to proceed without taking ample time to ascertain what would best promote the public interest. As far as he knew the feeling was in favour of removing the exemption which was now enjoyed by the drawer of cheques when he himself was also the payee.

Motion made and Question proposed,—

"That, towards raising the Supply granted to Her Majesty, in addition to the Rates and Duties granted and now chargeable under the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on profits arising from property, professions, trades, and offices, there shall be charged, collected, and paid for and in respect of all property, profits, and gains, charged or chargeable under the said Act, either by assessment, contract of composition, or otherwise, the following additional Rates and Duties, that is to say: upon any assessment made on the annual value or amount of any property, profits, or gains (except property, profits, and gains chargeable under Schedule (B) of the said Act), the additional Rate or Duty of four pence for every twenty shillings of the annual value or amount of all such property, profits, and gains, respectively; and for in respect of the occupation of lands, tenements, hereditaments, and heritages, chargeable under Schedule (B) of the said Act, the additional Rate or Duty of two pence in England, and of one penny halfpenny in Scotland and Ireland respectively, for every twenty shillings of the annual value thereof, and such additional Rates and Duties respectively shall be collected and paid with and over and above the first moiety of the Duties assessed or charged under the said Act."

SIR HENRY WILLOUGHBY said, that though the House had had the pleasure of listening to a very able debate which embraced a vast range of subjects, yet the real question before them was, whether it was absolutely necessary to impose this addition of 4*d.* in the pound on the income tax. He had given notice of two Amendments to the Resolution, because he had some objection to it as it at present stood. The Committee must bear in mind that the income tax was essentially an odious and unjust tax—that it was so in the opinion of the universal public, and that nothing could make it fair or just. In former years, when the then existing income tax expired, a distinguished orator of the House of Commons proposed that the Act of Parliament which had imposed it should be publicly burned by the least respected functionary in the country. Now, in his opinion, a strong case ought to be made out before they imposed an additional tax of 4*d.* in the pound, and the *onus probandi* lay with the Government. But not only did he object to the amount of the tax, he also objected to the mode in which it was proposed to be levied—namely, by raising the whole sum in the first half-year. One point respecting which, he particularly desired information was the grounds upon which the right hon. Gentleman proposed to levy the whole tax in October next upon what was termed the Long Annuities, which expired on the 5th of January next. He had selected these long annuities as a type of the difficulty of applying the income tax to all precarious incomes; and how could the right hon. Gentleman with justice take 8*d.* in the pound from the long annuitants in October, when in January the long annuities would have ceased to exist? But returning to the first points to which he had adverted, he would ask what necessity there was for raising a sum of £4,000,000 by additional taxation at the present time? They had heard a great deal in the course of the debate about the enormous increase in the amount of the public expenditure, and the late Chancellor of the Exchequer seemed to be of opinion that the reduction of that expenditure could not be hoped for unless a particular line of foreign policy was pursued. He (Sir H. Willoughby) did not exactly entertain the same view, for he thought, putting aside altogether the question of military expenditure, that the House might exercise some vigilance with regard to the extravagant Civil Service Estimates.

Those Estimates had been assented to this Session with very little discussion. On one night seventy-six grants of public money were passed, and some hon. Members were not even furnished with the papers which would have enabled them to determine whether or not there was ground for objecting to those Votes. He admitted that the House was placed in some difficulty with regard to the present Estimates which, having been prepared by a Government which did not propose them, and were now proposed by a Government which did not prepare them, belonged to nobody: but the only manner in which it seemed possible for them to curtail an extravagant expenditure was by not granting larger supplies in Committee of Ways and Means than was really and necessarily required. Was it necessary that those who now paid income tax to the amount of £5,000,000 annually should be called upon to contribute to the Exchequer £4,000,000 more, and that in the first six months after the extension of the tax? For some years past the revenue of the country had been under-estimated. The actual revenue in 1856 exceeded by £700,000, in 1857 by 1,513,000, and in 1858 by £1,500,000, the amounts at which it had been estimated by the Chancellors of the Exchequer. The revenue last year was £65,500,000. On what ground, then, did the right hon. Gentleman estimate the income of the ensuing year at only 64,340,000? There might, of course, be reasons for expecting some reduction in the public income; but he thought also, that a countervailing increase might be anticipated from the two items of taxation resorted to by the late Chancellor of the Exchequer, the effects of which had not yet been developed. He thought that, under the circumstances, it was quite enough to make an addition to the income tax of £3,000,000, and if the revenue was then insufficient to meet the expenditure, the deficit might be provided from some other source. Why, for instance, should not a duty be imposed upon the property of deceased persons beyond the amount of £1,000,000? He regarded the imposition of an income tax upon long annuitants, and upon persons whose income was precarious, as a tax not upon income but upon capital, and therefore amounting to some extent to a confiscation of property. The hon. Baronet concluded by moving, as an Amendment, that the additional rate of income tax should be 3*d.* instead of 4*d.* in the pound.

Sir Henry Willoughby

MR. POLLARD-URQUHART thought that, on a fair consideration of the public finances, it would be seen that the Chancellor of the Exchequer had adopted the best mode of meeting the present difficulty. The hon. Baronet had said, that former Chancellors of the Exchequer had been in the habit of under-estimating the national income; but that was, at all events, a fault on the right side, for whatever balance there might be in the Exchequer at the end of the year was carried to the credit of the public in the following year, and, therefore, tended to reduce taxation—the Chancellor of the Exchequer might have borrowed the amount he required, or might have raised it by indirect taxation; but he thought he had adopted the most prudent course in resorting to a tax which only imposed a little self-denial, and self-restraint upon those who were called upon to pay it, while the borrowing of £4,000,000 would have occasioned a drain upon the capital of the country. The case of the poor clerk with £100 a year had been dwelt upon; but surely it was better that such a man should pay a moderate income tax than be made to contribute in the shape of heavier duties on the articles he consumed.

MR. SPOONER said, he wished to ask the Chancellor of the Exchequer whether he meant to make any alteration this year in reference to the stamps on bankers' cheques? He was also anxious to know whether the right hon. Gentleman proposed that a tenant whose occupation would expire at Michaelmas should pay the whole of the additional income tax, and that his successor should altogether escape that charge, or whether he intended to apportion it between the incoming and the outgoing tenant?

MR. W. WILLIAMS expressed a hope that if the increased income tax was to extend to incomes of £100, the Chancellor of the Exchequer would introduce a clause in the Bill to exempt the wages of working men, on whom the impost was a great oppression. If the right hon. Gentleman did not do so he should feel it his duty to bring the subject before the House.

MR. ROEBUCK asked the Chancellor of the Exchequer, before he answered the hon. Member's question, to state what difference there was, in regard to the question of imposing this tax, between a man who drove a quill all day—whether what he received was called wages or salary—and a man who drove a plane.

SIR STAFFORD NORTHCOTE said, that when the Chancellor of the Exchequer stated that he should require a certain sum for the service of the year it was very difficult for the House to refuse the amount. It was indeed true that it sometimes happened that the revenue exceeded the Estimate, but it would be dangerous to speculate on such a result. If they wished to make ends meet they must, therefore, be prepared to vote the whole 4*d.* of increase on the income tax. The Chancellor of the Exchequer, however, had not quite done justice to the criticisms offered as to the mode in which the tax was to be raised. No doubt Parliament could impose any tax on the people that it thought fit; but the sound rule was to obtain the *maximum* of revenue with the *minimum* of hardship to the taxpayer, and that principle had hardly been observed in the manner in which this tax was to be levied. The addition of 4*d.* to the present 5*d.* was in itself a hardship, but the evil was aggravated by requiring a man to pay it when one-third of the year had already expired, and his expenditure had not been regulated by the knowledge that he would be called upon for such a contribution to the State. A further difficulty was created when they made him pay in one year what he had hitherto paid in two years, and the pressure to which he would be put was certain to produce a good deal of anxiety and confusion. The Chancellor of the Exchequer had said that he would not have proposed this arrangement unless he had been assured by the heads of the Revenue Department that there would be no practical difficulty in carrying it out. Now, if the heads of that department were now satisfied with such a proposal, they must have very recently changed their opinion; because when the subject was discussed a few months ago they thought its working would be attended with serious embarrassment. How were they to deal with persons who had annuities to pay out of their incomes? Were they to deduct the whole tax from the first payment of the annuity, or to spread it over the different quarterly payments? If the former, the annuitant might die before the year was out, and then more having been deducted from the annuity than ought to have been, there would be a question whether the executors of the deceased ought not to be reimbursed for a part of the tax. The case of the Long Annuities would present a somewhat similar difficulty, as the annuitant would have to pay a whole year's tax, though he did not receive a whole year's income. There would also be a difficulty with regard to dividends from public companies, which in one half-year might be very large and in the other little or nothing at all. In this case two halves did not make a whole. If these things were unavoidable, of course we must submit to them; but he did not think that they were. He could not agree with the Chancellor of the Exchequer, that deferring the payment of the income tax till the usual period would throw an additional burden upon the year 1860, because if money had to be borrowed to be repaid, then there would be the proceeds of this tax with which to repay it. The right hon. Gentleman dealt very differently with the maltsters and the income tax payers. The maltsters' payments were anticipated by six weeks, and for that they were allowed 4 per cent discount; the income tax payers had their payments anticipated by six months, and they were allowed no discount at all. He did not say that the tax would work absolute injustice, but he was far from thinking that it was the wisest arrangement that could be made. He thought it would have been wiser to take more of the malt credit and to leave the payment of the income tax to the usual period.

MR. FRANK CROSSLEY said, he felt inclined to think that the House had in reality very little control over the expenditure, for during the last six years it had scarcely succeeded in striking off one Vote per annum. The cost of our armaments was most enormous, amounting to £26,000,000, and of the amount charged for the army not more than £3,750,000 was charged on account of wages paid to the men. Austria employed four times as many soldiers as this country, and he wanted to know why the money of this country could not be employed as economically as that of Austria. A great portion of the charge for the navy went for the non-effective service. He thought more value ought to be obtained for the money expended. With regard to the question of the income tax the right hon. Gentleman in 1853 showed the great difficulty of making a difference between incomes arising from professions and trades and incomes arising from property, and certainly nobody could make out a case better than the right hon. Gentleman, and he was afraid there was no chance of beating him out of his argument. The expenditure was indeed so great that it was quite hopeless to expect to see the end of the income tax, or some other direct tax in lieu of it, and therefore it behoved the House to take the matter up and see if they could not draw some distinction between fixed and precarious incomes. He believed it would be possible to levy a tax on all realized property, whether consisting of land, houses, mills, railway and banking shares, &c., and thus get rid of the income tax altogether. Although there might be some difficulty with regard to the details of such a tax, he did not believe it would be nearly so objectionable in principle as the income tax.

Mr. HUBBARD expressed his disappointment that the only means the right hon. Gentleman the Chancellor of the Exchequer could find to extricate himself from the financial difficulty of the day was by an aggravated use of that obnoxious and most mischievous impost—an unreformed income tax. As it appeared to him that the whole fiscal policy of this country tended to shift the burden of our imposts from indirect to direct taxation, it was the more important that this mode of taxation should be subjected by the House to such a severe scrutiny as would make it as equitable in operation as any other tax that could be devised. It was humiliating to the Government to find that they made such large use of a system of taxation, the injustice of which there was not a man among them that was not ready to admit. This arose either from a want of science or a disregard of justice, neither of which was he willing to ascribe to his right hon. Friend who at the present time had charge of the finances of the country. But he rose more immediately for the purpose of calling attention to the case of the holders of long and terminable annuities. The amount of those annuities he believed to be correctly stated at £2,000,000, and when the annuitants were paid their dividends for the present year the House would have seen the last of them. Those annuities, in fact, represented an old debt which the Government of the day incurred many years ago for the purpose of meeting a national emergency—the last instalment of which would be paid off in the course of the present year. He believed he was correct in stating that 98 parts out of 100 of this payment represented capital rather than interest; and he held that Government had no more right to diminish the capital of those annuities than they were at liberty to diminish the capital of Exchequer bills or Exchequer bonds. He said it with a full conviction of its truth, that there was no more morality in the Government of England diminishing the capital of this debt by their income tax than there was in the operations of some of the Transatlantic states which had notoriously made a settlement with their creditors by a forced composition. This was a transaction which, on the Exchange, or in Mincing Lane, would be called a compounding of credit, and he called upon the House to pause before they sanctioned a measure so discreditable in a commercial point of view. If they gave their consent to the imposition of this tax as proposed by the Chancellor of the Exchequer, they would levy an additional tax of £1 13*s.* 4*d.* in the £100 of these annuities, making in the whole £2 14*s.* 2*d.* taken from the public creditor. The Chancellor of the Exchequer said that there were £2,000,000 of these Long Annuities, but about one-half had been paid off, leaving only £1,000,000 remaining to be paid of the debt, and yet the Chancellor of the Exchequer just managed to resuscitate this tax, and make it retrospective, so as to inflict the whole twelve months charge upon the unfortunate holders of these annuities. Nothing on earth could be said in favour of such a measure except that it was a necessity, or that it was difficult to dissever these Long Annuities from the ordinary annuities. It might be said that the holders of these annuities were mostly large capitalists, corporations, or banks of great wealth; but would the Committee accept the doctrine, that whilst they refrained from oppressing the poor man they might rob the rich? Such a system would discourage the accumulation of capital, which constituted the strength of the country, and undermine the confidence of the public creditor; and would moreover seriously embarrass all the future endeavours of Chancellors of the Exchequer in this country when they again resorted to the public market for the purpose of negotiating loans. He concurred in the spirit of what had been said by the hon. Baronet (Sir H. Willoughby), and was delighted to support his proposition to relieve this portion of the public debt from an unfair burden.

The CHANCELLOR of the EXCHEQUER: This discussion, although not a long one, has covered a considerable breadth of ground, and included a variety of questions besides the one raised by the hon. Baronet the Member for Evesham. The hon. Baronet has asked me, as a point of fact how the Long Annuities will be taxed. My answer is that they will be taxed in respect of the half-yearly payment like other public securities which are payable half-yearly. I believe that the case is entirely analogous to that of any other annuitant or fundholder who feels the burden of the tax, although the burden is greater of course in proportion to the shortness of the duration of the annuity. I think, however, it will not be convenient that we should now discuss the case of the Long Annuities. It is by no means a novel one to this House and the difficulty which it involves is a difficulty inherent in the nature of the income tax. I will, therefore, address myself first to the Motion of the hon. Baronet, who proposes to reduce the sum of 4*d.* in the pound to 3*d.*; and this he does on this distinct ground, that Chancellors of the Exchequer, as he says, have an inveterate habit of under-estimating the income of the country; *ergo*, that I have done so; and that therefore we might safely add £1,000,000 to the estimate I have given, and cut down the Ways and Means by that amount. Now, I am bound to say the hon. Baronet has omitted from his view two very essential particulars, which determine its whole merits. It is not true that there is a systematic habit on the part of Chancellors of the Exchequer of under-estimating the financial receipts of the country. The Estimates of income are formed, so far as I know, mainly and almost exclusively according to the deliberate judgment of the heads of the Revenue Departments. I never, but once, presented an estimate of income to this House that I had not received from or prepared with the assistance of the heads of the Revenue Departments and that was of a comparatively small sum as to which there was no precedent to guide them. I believe the practice of those gentlemen is on all occasions to make the estimates with perfect *bonâ fides;* but it is impossible for them to make them in such a way as that they shall anticipate all the vicissitudes of the year. The hon. Baronet has said that for three years the revenue has been under-estimated—once by £700,000 and twice by £1,500,000—and that may be true. But on the other side I may quote a memorable case in which the right hon. Gentleman the Member for Portsmouth (Sir Francis Baring) was concerned. In 1840 he presented to the House an estimate of the revenue of the country; but, when the day of reckoning came and we had to compare the actual with the estimated receipts, we found the revenue had fallen short of the estimate by, if I recollect rightly, something like £2,000,000. The right hon. Baronet was much criticized on account of that shortcoming; but in point of fact he was not in any manner to blame. You are dependent upon the harvest, upon peace, upon commercial prosperity, upon the crops of sugar, upon the supplies of tea, upon the state of the vine, and upon a great multitude of other particulars for the bringing up of your revenue, with respect to which it is impossible to form a perfectly accurate estimate beforehand. The practice of the heads of the Revenue Departments has been to form as full an estimate as they could consistently with tolerable safety; and, that being so, I submit to the House that it would be unwise to break in upon a practice which has now been long established, and which is maintained without distinction of person or party—namely, the practice of framing as accurate an estimate as possible of the probable yield of the revenue, always taking care to be on the safe side. So far from wishing to under-estimate the resources of the country, since I came into office I have asked the heads of the Customs and Excise to reconsider their estimates, and see whether, in consequence of the lapse of time, they could make any additions to them. The result of that inquest on my part has been that certain small additions have been made to the estimates both in the Customs and in the Excise, because matters have been going on well. Under these circumstances, I entirely dispute the proposition of the hon. Baronet, that it would be a safe practice for Parliament to assume that, although the heads of the Revenue Departments and Chancellors of the Exchequer may not mean anything wrong or fraudulent, yet that Parliament might venture to add a million or two to their estimates. But the hon. Baronet has overlooked another point—namely, that the expenditure of the year is as apt to exceed the estimate as the revenue. He quotes the excess of revenue over the estimates of last year; but forgets that the expenditure also exceeded the estimate, so much so, indeed, that although the actual revenue exceeded the estimate by £1,500,000, yet it exceeded the expenditure by only £800,000. What has been done with that £800,000? So much of it as was available under the law has been applied, not to the extinction of permanent debt, but to the redemption of deficiency bills. It is quite obvious, moreover, that you cannot reckon upon a continuance of those favourable circumstances which may have distinguished the last year; and, upon the whole, I maintain that the House of Commons would entirely depart from the rules upon which it has always acted if it were to dispute estimates which are framed by disinterested and impartial persons, and which hitherto have been well borne out by the facts. Upon that ground, and because it is impossible, especially at the present time, to say absolutely that the expenditure shall be kept within the specified limits, I think the hon. Baronet will see that his proposition cannot be sustained. Various other points have been mentioned in the course of this debate. I have been asked whether I intend to bring in a Bill with respect to drafts or cheques. The only reply I can give to that question is, that I shall not bring in a Bill without giving the House ample notice of my intention to do so, nor until I have satisfied myself as to the precise terms in which such a measure ought to be couched. I have also been asked by the hon. Member for North Warwickshire, what will be the case of the tenant who holds his farm from Lady Day to Michaelmas, and who then quits it. My answer is that the tenant referred to will have held his farm for the six months in the present year in which the additional income tax takes effect, and that he will consequently be liable to pay it. But I ought to say here that there is some misapprehension with respect to the period at which the additional income tax will be paid. There is no undue or extraordinary suddenness in the demand which will be made. In 1854, the House, before we went to war with Russia, did the very thing which we now seek to do. The income tax, which was then 7*d.* in the pound, was doubled for the first half of the year. It is true that, before the new law took effect, the House had reason to double the tax for the second half of the year also, but the alteration was made in precisely the same manner as upon the present occasion, the only difference being that whereas the demand laid upon the taxpayer for the first half of the year was 7*d.* in the pound, now it is only 6½*d.* The hon. Member for Lambeth has put to me a very formidable question. He first asked

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whether we would exempt the class of persons having incomes under £150 a year, and then, receding from that demand, and falling back upon something which he thinks so excessively mild that it is hardly possible for any one to refuse it, he appealed to us to exempt workmen's wages when they are paid in weekly amounts. If the hon. Member were responsible for the carrying of an income tax Bill he would find, when he proposed that every man who had his income paid to him by the year should be liable, but that those, on the other hand, who were paid by the week, although their incomes might be larger should not be liable, that all those persons who would be left subject to the tax would contrive to have their incomes paid to them by the week, and that, moreover, it would be a perfect hopeless task to endeavour to pursuade the House to draw a distinction at once unsound in principle and injurious, not to say dangerous, in practice. It is not true that a workman who has £100 a year derived from weekly wages is a poorer man than the clerk or other person who derives a similar income from the labour of his brains; on the contrary, it would be more true to say, though I do not assert it, that a workman with £100 or £120 a year is richer than the man who, living by the work of his brain, has only the same amount of income. I trust, therefore, that my hon. Friend will not press his demand. I do not know that I should follow the late Secretary to the Treasury over the ground which he has traversed, because the question raised by the Amendment before the Committee is not connected with his remarks. He has spoken of what he calls the mode of payment. The real question, however, is not the mode of payment, but whether a certain sum of money shall be raised within the year 1859-60 which is wanted to meet the demands of 1859-60, or whether a portion of the wants of 1859-60 shall be provided for out of the taxes payable in 1860-61. When the right hon. Baronet tells me that I shall not be laying a burden on 1861 by postponing the payment of the additional income tax, I beg to ask him whether I shall not be laying a burden upon that year if, when I arrive at the 31st of March, 1860, and have to propose the Ways and Means for the year 1860-61, circumstances compel me to make a demand upon the taxpayer for the purposes of 1859-60? It would, no doubt, be very agreeable to postpone the additional tax, as it would be more agreeable still to borrow the money outright; but the question is, what principle will the House adopt? Will it, or will it not supply the wants of the year out of the taxes of the year? That is the question which must now be decided. I trust that, for the reasons I have stated, the hon. Baronet the Member for Evesham will not persist in his Motion for reducing the additional tax from 4*d.* to 3*d.*, unless he can show us how we may reduce the expenditure for the year. If he can do so no one will rejoice more than myself; but if not, do not let him, by vague speculations as to the increasing prosperity of the country, endeavour to persuade the House to refuse those Supplies which are absolutely necessary to maintain the public credit.

MR. T. BARING observed, that the allusion of the Chancellor of the Exchequer to the manner in which the increased income tax was levied previous to the Russian war was very unfortunate, and might lead to the suspicion that he intended to pursue the course adopted upon that occasion—namely, making an addition to the income tax in the second as well as in the first half of the year. Did he propose now to levy an additional 4*d.* in the pound to be paid in the first six months, with the view of proposing an additional 4*d.* payable in the following six months? If that were the case it was not fair treatment of the House. He was surprised to hear the right hon. Gentleman propound the doctrine that the income of the year should always meet the expenditure of the year, because in 1854, when he filled the office which he now occupied, he did not hesitate to borrow in anticipation of the incoming revenue. The right hon. Gentleman the Chancellor of the Exchequer came upon the taxpayer all at once, when he did not expect it, and told him he must pay in the first six months what was only due at the end of the year. If he wanted to make an income tax more obnoxious to the public than ever it had been, he could not have taken a more certain mode of effecting his object. He stated that he took this course because he did not want to draw upon his balance with the Bank of England, and because he wished to avoid borrowing on an income of which he was perfectly assured. But why did he thus press unduly on the taxpayer, by taking him suddenly in the way he proposed, when it could be of no possible advantage to the country? He must say he could not understand on what principle the right hon. Gentleman had adopted his present plan, except with the view of having another 4*d.* before the year had expired.

MR. DISRAELI: As bearing upon the Motion of the hon. Baronet the Member for Evesham, and also upon the course taken by the Chancellor of the Exchequer in so far as respects the estimates both of income and expenditure, I would refer to the case of that particular estimate which the right hon. Gentleman noticed so fully in the course of this evening. In the observations I made to-night, I spoke of a surplus of £1,500,000 in the estimate which I made last year. The right hon. Gentleman in his speech said he knew nothing of this surplus of £1,500,000—spoke of it as a fancied surplus—and observed that at the conclusion of the year we found that the actual surplus of income over expenditure was only £800,000. Now, the facts of this case furnish, I think, a complete answer to the Motion of the hon. Member for Evesham, as well as to the Chancellor of the Exchequer himself. What happened after the financial statement of 1858 was made? Two demands were made upon the Government, neither of which could have been foreseen, one arising from some remaining payments for the Russian war, and the other on account of the war with China. The amount of these was certainly not much less than £800,000, and thus reduced the surplus to the amount which the right hon. Gentleman had described. I am sure the hon. Baronet the Member for Evesham must feel that a Chancellor of the Exchequer, with no documents before him to lead him to expect that a claim for the Russian war would arise, could not take such expenditure into account in his estimates, and that therefore in all such cases a wide margin must be taken, otherwise a fallacious estimate of revenue will often be the consequence. But this is also, as I have said, an answer to the Chancellor of the Exchequer, because these demands for the China and Russian wars could again arise, and the surplus of £1,500,000 in my estimate was a *bonâ fide* surplus in calculating the resources of the ensuing year. It will be obvious from what I have said that I cannot support the Motion of the hon. Member for Evesham. But perhaps I may be permitted to say a word or two on the point which I noticed at the commencement of the evening, and which has been so strongly objected to by the Chancellor of the Exchequer—I mean the mode in which the tax should be levied. The question appears to me to lie in a nutshell. I did not lay any undue stress on the hardships that will accrue to the taxpayers by the course taken by the right hon. Gentleman. I knew that it may be distressing in its pressure on the holders of Long and Terminable Annuities; but I know that the House, in considering the question of the income tax on occasions like the present, cannot lay any great stress on cases like these. Injustice has always been committed on the feeble interest represented by the terminable annuitants, but has baffled all who have been responsible for the management of affairs in this country to be able to alleviate their position or meet their case; and I do not believe that at almost the last moment of their existence it would be possible or advisable to enter into any exceptional legislation with reference to them. My objections to the plan of the right hon. Gentleman mainly rest on this—that you are aggravating to all the taxpayers the severity of a tax, already objectionable, beyond the necessities of the case. You ought to make the levy of this tax fall as lightly as you can on the taxpayer; but you are doing what you can to increase the grievance and the burden of it. All the principal arguments of the Chancellor of the Exchequer appear to me to terminate in one fallacy. The fallacy is, that the right hon. Gentleman regards the proposition I have thrown out for his consideration as a proposal for borrowing money. I totally deny it. The money that will be paid will be paid out of the revenue of the year, and there will be nothing in it practically of the character of a loan. The Committee, as I assume, wishing to act on sound principles of finance, and being of opinion that this demand on the resources of the country, great and grievous as it undoubtedly is, should be defrayed out of the revenue of the country, their object must be to get it defrayed in a manner least burdensome to the taxpayers. When we ask the right hon. Gentleman to distribute this tax over the year we give him the best possible security to enable him to raise the sum of £4,000,000 for the public service, and it depends on his own adroitness and skill how he will best do it. The mode we propose is strictly analagous to that which he himself introduced—namely, the mode of raising money by Exchequer bonds. It is only necessary that there should be an arrangement between him and the Bank to enable him to raise that in the first six months which will be paid out of the revenue of the country in twelve months. The Bank of England must have fallen greatly in character and resources in the short time that has elapsed since I had transactions with her if any impediments to a satisfactory arrangement of this transaction is thrown in the way from that quarter. It is not desirable that money should be borrowed, if by borrowing is understood to be an increasing of the debt of the country. I entirely repudiate such a notion; but it is my opinion that the sum should be raised out of the revenue of the country, and that the burdens on the country should not be increased; but there is no objection that the Chancellor of the Exchequer should have a power given to him to raise the sum he requires, on the condition that he raises it in the most easy and least burdensome manner for the taxpayer. We indicate the mode which would be the least burdensome to the people, by pointing out the precise course which the right hon. Gentleman has previously adopted himself. We say that the country and the Bank of England, which assisted him before, are equally prepared now to assist him in the accomplishment of his object, by giving him all the funds necessary for the public service, in a manner the least burdensome to the community at large.

Motion made, and Question,—

"That, towards raising the Supply granted to Her Majesty, in addition to the Rates and Duties granted and now chargeable under the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on profits arising from property, professions, trades, and offices, there shall be charged, collected, and paid, for and in respect of all property, profits, and gains, charged or chargeable under the said Act, either by assessment, contract of composition, or otherwise, the following additional Rates and Duties, that is to say: upon any assessment made on the annual value or amount of any property, profits, or gains (except property, profits, and gains chargeable under Schedule (B) of the said Act), the additional Rate or Duty of three pence for every twenty shillings of the annual value or amount of all such property, profits, and gains, respectively,"—

put and *negatived.*

SIR HENRY WILLOUGHBY moved, pursuant to notice, in line 16, after the word "thereof," to insert "and for every one pound of dividend on the Long Annuities, expiring in January, 1860, one farthing in the pound." He wished to raise the distinction involved in his Amendment for the consideration of the Committee. He understood the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) to say that in this matter of the Long Annuities the House of Commons had for so long a time practised an injustice it was too late now to remedy it. Now, that in his opinion was anything but a strong argument. The injustice, however, had never been so flagrant as at that moment, and he could not believe that the Committee, if they really understood the question, would vote against it. The question in substance was this—were they prepared to make the dividend of £1 pay precisely as much as if it were of the value of £33, which was the value of a perpetual annuity? Did the right hon. Gentleman mean to charge the dividend to be paid in October with 4*d.* additional tax? If so, to what was it attached? It could not attach to that which was to come, for there was no dividend to be paid in next April. The Long Annuities would cease to exist in three months from October next. Well, then, it must attach to the other principle—they should go back and touch retrospectively the payment already paid and discharged. They must do one thing or the other if they rejected his proposition.

Amendment proposed,

"In line 16, after the word 'thereof,' to insert the words 'and for every one pound of dividend on the Long Annuities expiring in January 1860, one farthing in the pound.'"

THE CHANCELLOR OF THE EXCHEQUER said, that the question now raised was one of the difficulties inherent in a uniform income tax. It was true that if the tax could be recast and re-adjusted an exact standard might be set up by which the value of every annuity ought to be reckoned. But such a scheme of income tax differed altogether from that now before the Committee. The existing impost was a uniform tax which entirely declined to take cognizance of any return of capital in the form of income. Income was the sole test which it recognized, and every one who chose to have his capital returned to him in the form of income, which was the case of every annuitant for life or a term of years, knew that he did so subject to any tax which Parliament might impose. Were this Motion to be adopted it would lead to inextricable confusion, and the Committee would find themselves entangled in a hundred other cases, some even stronger than that on which the hon. Baronet insisted. The question had been fully considered by the House of Commons when the present Home Secretary was Chancellor of the Exchequer, and in 1842, when the income tax was first imposed. At the latter period Mr. Ricardo brought the subject under notice, and moved a Resolution akin in principle to that of the hon. Baronet; but the House decided against it and in favour of the present arrangement by 252 to 117. He was sorry that any inequality should exist, but he was sure that it would be most impolitic, and not agreeable to justice, to adopt the Motion.

MR. HUBBARD said, that the annuities referred to which were charged with the rate of 8*d.* had not a year to run; and with respect to them, therefore, the Chancellor of the Exchequer would be resuscitating a past payment in order to make it liable.

THE CHANCELLOR OF THE EXCHEQUER said, that the case of the long annuitant would exactly correspond with that of the fundholder.

SIR WILLIAM JOLLIFFE said, that the Committee did not understand from the right hon. Gentleman whether the tax was prospective or retrospective. With regard to these Long Annuities, it seemed to be retrospective, and levied, in fact, upon a past dividend, for they would not be in existence during the last three months of the year.

THE CHANCELLOR OF THE EXCHEQUER said, he did not understand what the hon. Baronet meant by a retrospective tax. In one sense this tax was certainly retrospective, because it was levied in respect of a term which commenced on the 1st of April, whereas this was the 21st of July. But the same might be said of most of the Income Tax Acts passed in this country. The first passed was on the 22nd of June, 1842, and was therefore retrospective in precisely the same sense. The tax, however, was not levied on the year's but on the half-year's income.

MR. WALPOLE said, it was clear that you could not, as regarded the new income tax, draw a distinction between the old and the new one, and if you subjected the Long Annuities to the tax, the argument went to show that as they expired in 1860, they ought only to be charged at the rate of 3*d.* in the pound. But the right hon. Gentleman said that the mode of levying the tax proposed was consistent with justice.

THE CHANCELLOR OF THE EXCHEQUER: I only said that it would not be just to adopt the Amendment.

MR. WALPOLE was glad to hear that, because they would not be precluded from that point in the consideration of the income tax next year; and if it was reimposed it must be rearranged, so as to make some difference between fluctuating and fixed incomes.

SIR JOHN TROLLOPE confessed he did vote for the income tax of former years; but he would suggest that the nature of these propositions was somewhat different to the present. They had now no guarantee whatever that the Chancellor of the Exchequer would not come again within the year for another 4*d.* additional. He considered that to levy the whole addition in one payment was most unjust and would be received with great dissatisfaction by the people.

After a few words from Mr. MALINS and Mr. BARROW,

Question "That those words be there inserted," put, and *negatived.*

MR. DISRAELI then proposed the omission of the last sentence of the Resolution, which provides that the whole addition shall be paid with the first moiety of the tax. He had assented to the raising of the sum of £4,000,000 by the addition to the income tax; but he objected to making the whole payable in the first six months. He proposed that it should be distributed over the whole twelve months.

Amendment proposed, in line 16, to leave out from the word "thereof," to the end of the proposed Resolution.

Question proposed, "That the words proposed to be left out stand part of the proposed Resolution."

THE CHANCELLOR OF THE EXCHEQUER: I regret that the right hon. Gentleman has made this Motion, for, though he says he assents to the raising of £4,000,000 for the necessities of the year, by this addition to the income tax, in fact, he does not assent to it. The Ways and Means of the year are the moneys paid in the year, and taxes which are granted by Parliament to be paid in a future year, whatever else they may be, are not Ways and Means of the year. The hon. Member for Huntingdon (Mr. T. Baring) says I ought to be content with getting £2,000,000 this year, and £2,000,000 in 1860-61, because in 1854 I proposed to the House of Commons to raise money by Exchequer bonds in anticipation of half-a-year's income tax and malt tax which could not be raised in the financial year. My answer to that is twofold. In 1854 we asked the House to impose £12,000,000 of new taxes, but would it have been the same thing to ask for £12,000,000 of new taxes within the year as it is to ask for £4,000,000? I could not help myself then, for it would have been impossible to get the £12,000,000 of new taxes within the year. My second reason is, that we have had a great deal of experience since 1854—quite enough to show that that was not a desirable experiment. The language held by the Government in 1854 was that the war might cease before the £5,000,000 or £6,000,000 of additional taxes came in, and that then, as these war taxes came in, they might be applied to the redemption of the war bonds. The war did cease while the money was outstanding; it came in, but Parliament did not chose to recognize it as applicable to the Exchequer bonds. It applied £2,000,000 of it to that purpose, but the rest went into the regular Ways and Means of the year. The right hon. Gentleman says that the outstanding income tax will be a first-rate security to borrow on, but that is not the question. It is whether we shall provide for the necessities of the year within the year. The proposition of the right hon. Gentleman may be more popular with the country, inasmuch as his proposal, like many other proposals made in this House, is for the convenience of the present at the expense of the future. I must say this to the right hon. Gentleman and to the Committee—and I entreat the Committee to listen to my words, because they are words full of meaning—the proposal which we have made is that which we deem to be the smallest required by the state of the public interests and the demands upon the public exchequer. I have already pointed out to you to-night some of the demands that are coming upon us, including a sum of £600,000 a year for packets and telegraphs, which have not been sanctioned by Parliament. But I must tell you that there is more in reserve—that there are other questions of finance not at the present moment so matured as to enable me to declare definitively the views of the Government with respect to them, but upon which, before many days elapse, they will perhaps be prepared to announce their views. It has been our absolute duty to take into account those exigencies that will shortly have to be explained to you, and the consideration of those exigencies enters essentially into the nature of the proposal which I am now making. It is not my desire to use any reserve with the Committee, and I hope the Committee will be disposed to negative the proposal of the right hon. Gentleman, if not upon general grounds, yet upon this ground, that as a responsible Minister of the Crown I give you the assurance that you have not yet measured, that you cannot yet measure, the demands that are coming upon you in connection with the wants of the empire. I hope that upon that ground the Committee will be disposed to give us that provision for the wants of the year which we have asked. The question raised by the right hon. Gentleman need not, so far as he is concerned, be finally decided to-night. This Resolution, inasmuch as it asks for an increase of taxation, must be moved in Committee, in order that I may bring in a Bill framed upon it; but the proposal of the right hon. Gentleman, which would reduce taxation, may be moved in any of the stages of the Bill; and I would suggest to him that he would better consult the public interest and the demands of the public service by postponing the trial of this question until the Bill should have been introduced. If the right hon. Gentleman thinks fit to adopt that suggestion we shall of course be prepared to consult his convenience in affording him an opportunity of bringing forward this question; but if, on the other hand, he should persist with his Motion, I can only once more recall the attention of the Committee to the words I have used, and used with a full knowledge and a very deep sense of the responsibility under which they were uttered.

MR. THOMAS BARING said, he wished to set himself right with the right hon. Gentleman and the Committee. The right hon. Gentleman had charged his right hon. Friend the Member for Buckinghamshire with wishing to borrow money, and to borrow it in the most objectionable form, and he had referred to the course pursued by the right hon. Gentleman in the year 1854, for the purpose of showing that he had himself in that year carried the principle in dispute further than was at that moment suggested by his right hon. Friend. If the right hon. Gentleman meant to say that such was the state of the country, in the opinion of Her Majesty's Government that it was important they should have the money within six months, he for one should not oppose the proposition of the Government. But the right hon. Gentleman was quite aware that although the whole of the money should not be received within the six months, such arrangements could be made as would render the second portion of the additional income tax available for every purpose of this year's expenditure. The right hon. Gentleman knew as well as he (Mr. Baring) did that in past times revenue to come had been made available for existing purposes by means of an arrangement with the Bank of England, and that arrangement might again be adopted. He feared that the right hon. Gentleman's observations indicated a foregone conclusion to put on another 4*d.* in next February or March. With regard to the application for £600,000 for contract it was in the power of Parliament to refuse them if it thought proper.

MR. HENLEY said, he did not see how it would be possible to levy this tax on the Consols, one half year of which was already past and gone, the next half year not being payable till January next. The effect would be that the holders of Consols would only pay half the tax. However, if the money must be got in within the year, the House could not do otherwise than agree to the proposal. However inconvenient the proceeding might be, still, if the Government really wanted the money within the financial year, he would not refuse it them, although money to be received in the next financial year could be made applicable by Exchequer bills. The right hon. Gentleman's words certainly held out a very alarming prospect of something looming in the distance.

THE CHANCELLOR OF THE EXCHEQUER, with reference to a remark of the hon. Gentleman the Member for Huntingdon, denied that he had any "foregone conclusion" as to the taxes that must be imposed next year. It was his official duty to labour to keep down the expenditure as much as he could. That was a very unhopeful task just now, and he should not be able to succeed in it without help from both sides of the House. He would always urge the House as far as possible to meet the burdens of the day in the day.

MR. DISRAELI: This question has, in consequence of the observations made by the Chancellor of the Exchequer, assumed a very different and a very serious Commons its present and prospective posiaspect. I confess I was never more surprised than when I listened to those observations. I will not dwell for a moment upon the passing allusion to contracts and guarantees amounting to £600,000 per annum. We all know very well that contracts are in the power of the Government. We all know very well that no Government would enter into any contract on which there was any probability of their being called upon to make good their guarantee. The allusion of the right hon. Gentleman to contracts and guarantees was, I think, mere Parliamentary adroitness on his part. But the right hon. Gentleman has made other communications to the House, which appear to me to be of a very serious character. I have always thought that, however disagreeable might be the information which the Chancellor of the Exchequer might have to impart to a Committee of Ways and Means or to a Committee of Supply, there was at least this compensation—that the truth and the whole truth was placed before the House. I did apprehend, after the Budget which was opened the other night, that we did clearly understand the depth and extent of the liabilities of the country. I thought that under these circumstances we were proceeding to consider with candour and in no hostile spirit the propositions which the Government have brought forward. But I collect from the Chancellor of the Exchequer that it is the unenviable position of the Committee of Ways and Means—for the first time certainly in my memory —not to have been made fully acquainted by the Minister with the full extent of the liabilities of the country. The Chancellor of the Exchequer has addressed the Committee in words of mysterious import. I want to know what are these liabilities that have not been explained? I want to know what are the engagements that have not been expressed? I think it is the right of the Committee of Ways and Means to be informed—if not to-night at least before it decides on the legislation proposed by the Government—of the nature, character and extent of these liabilities. It is a mere mockery and delusion to consult the Committee of Ways and Means, if, after having given a statement our best, and, I may say, dispassionate consideration, the Minister particularly responsible for the administration of the Finances tells us, "You have formed a rash and precitate opinion; it is true I made, a few nights ago, as you thought, a full and complete statement of the condition of the finances of the country, of the responsibilities of the nation, and of the engagements of the Government. But you are mistaken. I wish to treat you without reserve, but there are certain high interests that prevent me from communicating to you the whole truth." I admit the force of the appeal of the right hon. Gentleman, and I cannot take the responsibility of asking the Committee to take a particular course while they are acting in the dark. They ought at once to be put in possession of the information which would enable them completely to understand their position. After the statement of the right hon. Gentleman, if I wave on the present occasion the proposition I have submitted to the House, I do think it is due to the Committee and to the House that in the interval between this evening and the time when the House must pronounce its opinion upon the measures proposed by the Government, the right hon. Gentleman should enter into a full revelation to the House of those mysterious financial engagements and responsibilities which he has hinted. As to the policy of the Government in other matters, we may be told, as we have often been told before, that foreign politics are matters above the ken and comprehension of a mere House of Commons; diplomacy may not deign to reveal its intricacies to the country; but in matters of finance and taxation, that touch the purse and hearth of every family in the kingdom, in those at least the Chancellor of the Exchequer will condescend to enter into a complete and sincere explanation.

THE CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman has given in the course of his animated speech what I suppose he thinks a correct version of something that had fallen previously from me. He says that I have professed —and he even went the length of putting words into my mouth—that I had made a full and complete statement of the coming financial exigencies of the empire. That is what I understand the right hon. Gentleman to state. But even on this very night I stated as plainly as I could, in following the right hon. Gentleman, that such was the state into which the public finances had been brought—very much by the practice of making prospective engagements which has been a growing evil for several years—I stated then that, even with regard to English finances, it was not in my power to convey fully to the House of tion. But there are other questions than those of English finance—questions which we must have specially in view. But the right hon. Gentleman says, it is my absolute duty to communicate to the House of Commons everything which bears upon the question of finance. The right hon. Gentleman has been sixteen months in office as Chancellor of the Exchequer, whereas I have only been in the office for one month, and yet he expects me to give him a clear and comprehensive statement of our financial position. But the right hon. Gentleman ought to know that it takes some time to learn what are the financial exigencies of the empire; for unless I am mistaken, a proposition was made by the Government of which the right hon. Gentleman was a member describing a considerable deficit, amounting to £7,000,000, in the Indian treasury. There, at any rate, was a clear statement; but scarcely had that statement gone forth to the world when the right hon. Gentleman, who was in full possession of the exact state of the case, and of everything which could bear upon it, in conformity with the constitutional doctrine which the right hon. Gentleman is always ready to preach when he sits upon the Opposition benches, comes to the House and tells us that that sum is far from complete, and that an additional sum of £4,000,000 or £5,000,000 will be necessary. As to the interests and considerations of high political significance to which the right hon. Gentleman has referred—if I conveyed to the Committee an idea that it was owing to political causes that any covert demands were about to be made, I can only beg pardon of the Committee and of the right hon. Gentleman. If I conveyed that meaning, I had not the slightest intention of doing so. But with regard to the public finances, I recognize as strongly as the right hon. Gentleman the duty and advantage of bringing fully to the notice of the House everything within the knowledge of the Minister. But my power of communicating that information is limited by my own knowledge. When we are connected with a worldwide empire, when demands come in upon us day by day, it is only after some lapse of time they reach such a maturity as to enable us to make them the subject of an intelligible statement. I submit, therefore, to the right hon. Gentleman that the high constitutional doctrine he applies to the Chancellor of the Exchequer is limited, like all human things, by the restrictions of time and place. Subject to these restrictions, it is my desire to make a full statement to the House of Commons at the earliest moment. The right hon. Gentleman is entirely at liberty to postpone the question he wishes to raise, till he is in possession of all the knowledge he requires. I hope I have vindicated myself from the charge of having surreptitiously kept anything from the knowledge of the House that ought to have been communicated—a charge that I think ought not to have been made from any quarter, still less by the right hon. Gentleman.

Mr. DEEDES felt called upon to consider what was the best course to follow. It seemed to him that they stood in this position. The Chancellor of the Exchequer made a statement the other night showing a deficiency of £4,000,000, which must be made up in some way or other, and he proposed that the deficiency should be made up by income tax. He (Mr. Deedes) wished to see the time when they might look at the whole taxation of the country with a view to putting it on a sound and substantial footing; and if they threw impediments in the way of those who had executive duties to carry out this would probably be deferred to a later period than they desired. However tempting the proposition made against the proposals of the Government might be he felt bound to resist it, because he should be throwiug away a chance. In matters of this kind they were justified in throwing on the Exchequer the responsibility of the mode in which they should raise the Ways and Means.

Resolved—

Provided always, That where any dividends, interest, or other profits or gains becoming due or payable half-yearly, are assessed or charged half-yearly with the Rate or Duty under the said Act, there shall be charged upon the first assessment or charge which shall be hereafter made on such dividends, interest, profits, and gains, the additional Rate or Duty of eight pence for every twenty shillings of the half-yearly amount thereof; and where any profits or gains becoming due or payable quarterly are assessed or charged quarterly with the Rate or Duty under the said Act, there shall be charged upon the first two quarterly assessments or charges respectively which shall be hereafter made on such last-mentioned profits and gains, the additional Rate or Duty of eight pence for every twenty shillings of the quarterly amount of such last-mentioned profits and gains; and the said additional Rates and Duties charged in such half-yearly and quarterly assessments respectively shall be collected and paid with and over and above the Rates and Duties assessed or charged therein respectively under the said Act.

The following Resolution was then put—

"That towards raising the Supply granted to Her Majesty, the time limited for payment of the Duty of Excise on Malt by every Malster or Maker of Malt, who shall have given security by bond in the manner directed by the Act passed in that behalf in respect of all Malt begun to be made on or after the first day of October 1859, shall be twelve weeks in lieu of eighteen weeks after the making of such Account or Return of Duty as in the said Act is mentioned."

Mr. PULLER said, the alteration would vitiate the sureties and render necessary new bonds in every case. As it would be the doom of the small maltsters, and would throw the whole trade into confusion, he doubted whether the Chancellor of the Exchequer's expectations would be realized.

The CHANCELLOR of the EXCHEQUER said, it must be admitted that if ever the system of malt credits was to be modified at all, it could not be modified more gently than was now proposed. It was proposed to reduce the credit only by six weeks, and to allow discount in respect of those six weeks, in consideration of the late period at which the financial statement was made. A strong intimation had even been thrown out from the other side that the maltsters ought to have been dealt with more stringently. He would examine into the matter of the bonds, but he did not anticipate any serious difficulty.

Sir JOHN SHELLEY thought the Chancellor of the Exchequer had treated the maltsters too lightly, and hoped he would take the hopgrowers in hand.

Mr. DODSON remarked that the hopgrowers were in quite a different position from the maltsters, and it would be unjust and impolitic to make them pay sooner. The maltster could always make malt, but the hop grower was not always sure of his crop of hops.

Resolved, That, towards raising the Supply granted to Her Majesty, the time limited for payment of the Duty of Excise on Malt by every Maltster, or Maker of Malt, who shall have given security by bond in the manner directed by the Act passed in that behalf in respect of all Malt begun to be made on or after the first day of October 1859, shall be twelve weeks in lieu of eighteen weeks after the making of such Account or Return of Duty as in the said Act is mentioned.

House resumed.

Resolutions to be reported *To-morrow.*

SUPPLY.—REPORT.

Report of Supply brought up.

On the Vote for Prisons.

Sir WILLIAM MILES suggested that the junior departments at Parkhurst should be kept for those children whom it was found impracticable to reclaim in the reformatories. He trusted that these reformatories would be extended throughout the country.

Mr. NEWDEGATE asked whether the Government had any scheme in contemplation for the establishment of a penal colony to receive those convicts whose period of penal servitude was longer than was found compatible with their health in prison.

Sir GEORGE LEWIS answered in the negative.

Resolutions *agreed to.*

CRIMINAL JUSTICE. MIDDLESEX (ASSISTANT JUDGE) BILL.

THIRD READING.

Order for Third Reading read.

Mr. BOVILL expressed a strong opinion that the Assistant Judge should not be allowed to practise as a barrister. He thought that Parliament ought to have determined the matter itself, instead of leaving it to the Middlesex magistrates. By so doing the object of the Bill might at any time be defeated.

Bill read 3^a, and *passed.*

ECCLESIASTICAL COMMISSION BILL.

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

Mr. FREELAND complained that the interests of the church lessees had been completely ignored in the Bill, and moved the adjournment of the debate.

Sir GEORGE LEWIS said, that on coming into office he found a comprehensive measure, which he did not think it possible to carry this Session, and the present Bill was simply confined to matters as regarded which there would not be any controversy. He hoped therefore the hon. Gentleman would withdraw his Motion for adjourning the debate, so that the Bill might be read a second time. He would undertake to fix a day for the Committee sufficiently distant to allow of a full consideration of the Bill.

Mr. INGHAM did not recognize the necessity for legislating on this subject at all during the present Session.

Mr. DEEDES trusted his hon. Friend would not press his Motion for adjournment. The fears of hon. Members respecting the Bill were groundless. A strong feeling had been expressed that legislation on this subject should be divided into two parts, and that only those branches of the question as to which no controversy could arise should be included in the measure before the House. The Ecclesiastical Commissioners had every desire to afford opportunity for full discussion upon the general principle.

Mr. SELWYN hoped the right hon. Gentleman the Home Secretary would not press the Bill. Two of its clauses militated against the rights of cathedral churches, and involved the principle of centralization. He should support the Motion for adjournment.

Motion made, and Question put, "That the Debate be now adjourned."

The House *divided:*—Ayes 62; Noes 75: Majority 13.

Main Question put, and *agreed to.*

Bill read 2° and *committed* for *Thursday* next.

ROMAN CATHOLIC RELIEF ACT AMENDMENT BILL.

BILL WITHDRAWN.

Order for resuming adjourned Debate on Second Reading [12 July] read.

Sir WILLIAM SOMERVILLE moved that the Order of the day for resuming the adjourned debate on this Bill should be discharged as he had examined the Order-book, and found it impossible to fix any day for continuing the debate.

The O'DONOGHOE said it would have been better not to have introduced the Bill at all than to withdraw it.

Lord FERMOY denounced the Bill as ill-constituted and ill-timed, and as a retrograde step in the direction of an effete system of legislation. It was a piece of Rip Van Winkle legislation, which came into existence after the necessities for it had long gone by. He did not object to the Chancellorship being thrown open to Roman Catholics, but then the office itself ought to be changed for the purpose, and made a secular office.

Mr. BRADY, whilst he was prepared to advocate the admission of Roman Catholics barristers to the highest honours of the profession, was opposed to the present Bill, which he considered as an attempt to bribe them.

Colonel DICKSON, who moved the adjournment of the debate on the former occasion, expressed a hope that the Government had not given way in consequence of an influential deputation which had waited on them. If the Bill had been proceeded with it would have had his strenuous support.

Viscount PALMERSTON said, the Bill was introduced by the right hon. Baronet (Sir W. Somerville) without any concert with the Government, and it was withdrawn without concert with them.

Sir WILLIAM SOMERVILLE repeated that his only reason for withdrawing the measure was his conviction of the impossibility of carrying it this Session.

Mr. NEWDEGATE justified the course he had previously taken of moving, as an Amendment, that the Bill be read a second time that day three months. Nothing was more calculated to rouse the Protestant feeling of the country than the measure in question.

Order *discharged.* Bill *withdrawn.*

MUNICIPAL CORPORATIONS BILL.

COMMITTEE.

Order for Committee read.

House in Committe.

(In the Committee.)

Clause 1,

Mr. NEWDEGATE hoped, that at that late period of the night (twenty minutes past one after midnight) the hon. Member for Sheffield would withdraw the Bill [Mr. Hadfield refused.] He would then move that the Chairman report progress, and asked leave to sit again.

Motion made, and Question put, "That the Chairman do report progress and ask leave to sit again."

The Committee *divided:* Ayes 20; Noes 56: Majority 36.

Mr. BANKS STANHOPE, observing that it was quite impossible that the Bill could be properly considered at that late hour, moved the adjournment of the debate.

Motion made, and Question put, "That the Chairman do now leave the Chair."

The Committee *divided:* Ayes 19; Noes 54: Majority 35.

Mr. STEUART moved that the Chairman report progress.

Viscount PALMERSTON hoped that this course would not be persisted in after the declared opinion of the Committee. It was taking undue advantage of the rules of the House.

Mr. SPOONER reminded the noble Lord that he himself had expressed an opinion against taking an opposed measure at a late hour of the night.

Mr. NEWDEGATE said, he could not think it reasonable to proceed with this Bill under the circumstances.

Mr. HADFIELD then proposed to postpone further progress in the measure till Wednesday.

House resumed.

Committee report progress.

STATE OF THE THAMES.

COMMITTEE MOVED FOR.

Sir MORTON PETO moved, that a Select Committee be appointed to inquire into the causes of the present state of the Thames, and to suggest such remedies as may be deemed expedient for its improvement; but stated that he would far prefer that the Government would investigate the subject by a Commission.

Motion made, and Question proposed,—

"That a Select Committee be appointed to inquire into the causes of the present state of the Thames, and to suggest such remedies as may be deemed expedient for its improvement."

Mr. BLACKBURN moved the Adjournment of the House. It would be impossible at this period of the year that a decent investigation should take place.

Viscount PALMERSTON said, the matter was gone into very deliberately last Session. The cause of the state of the Thames was the making of the river a common sewer, at the same time that the water companies were abstracting more and more water from the upper part of the river; and the proper remedy was already in the course of construction in the shape of the intercepting sewers. He hoped the Motion would not be pressed.

Mr. TITE said, the Metropolitan Board had already accomplished a portion of this remedy, and by next year considerable progress would be made.

Motion made, and Question, "That this House do now adjourn," put and *agreed to*.

House adjourned accordingly at
Two o'clock.

HOUSE OF LORDS,

Friday, July 22, 1859.

Minutes.] Public Bills.—1^{a} Cambridge University Commission (Continuance); Criminal Justice Middlesex (Assistant) Judge.

2^{a} Admiralty Court; Jury Trial (Scotland) Act Amendment; Speaker of the Legislative Council (Canada); North Western Territories (British America); Court of Probate, &c. (Acquisition of Site).

3^{a} Attorneys and Solicitors.

Mr. Spooner

MIDDLE-CLASS EDUCATION.

PETITIONS.

Lord BROUGHAM *presented* 115 petitions from places in England, praying that a greater efficiency in Middle Class School Teachers may be obtained by a system of Government inspection, with certificates of merit. The noble and learned Lord said, that the upper classes took security for themselves as to the efficiency of their teachers, and for the lower classes the same advantages were procured by the system of Government inspection, of which he was old enough to remember the commencement, and which had been attended with such beneficial results. The official returns showed that during the last year no less than 850,000 children had been educated in schools which were placed beneath the supervision of Inspectors, and that in these there were 5,000 teachers, 13,000 apprenticed teachers. The petitioners complained that in the schools for the middle classes no provision having for its object to secure good and efficient instructors was made. They did not ask that the Government should compel private schools to submit to inspection, or that Government regulations should be enforced upon them; but they were anxious that some means should be adopted whereby the attention of teachers in ordinary schools might be invited to the immense advantage which was derivable from an efficient system of inspection.

AFFAIRS OF ITALY.—THE CENTRAL STATES.—QUESTION.

The Marquess of NORMANBY said, his noble Friend the President of the Council would perhaps permit him to put a Question without previous notice. Their Lordship would recollect that a few evenings ago he addressed a question to the noble Earl with regard to Parma and other States of Central Italy; but the House was told that the treaty having only just then been concluded, it would be difficult for the Government to give any information on the subject till the Emperor of the French returned to Paris. Since that time the Emperor had returned, and had spoken; and in his speech, delivered a few days ago, the following sentence in reference to the Sovereigns of Central Italy occurred:—"The Sovereigns of Central Italy have seen the necessity of salutary reforms." He was very glad indeed to hear that declaration, and he should be extremely glad if it was carried into operation ; but he thought the Emperor might perhaps have furnished some information to Her Majesty's Government as to whether there was to be any exception to the restoration of the Sovereigns of Central Italy, and whether this had formed one of the conditions of the treaty. He was anxious, if possible, to gain information on this subject, because he understood that the Sardinian commissioners appointed during the war still remained at their posts. The Sardinian representative, he was informed, was still at Florence, and he had reason to believe that very active intrigues were going on in Tuscany contrary to the sense of the arrangement come to at Villafranca.

EARL GRANVILLE said, that even if his noble Friend had given formal notice of his question, it would have been impossible for him to give any detailed explanation on the matter, to which the noble Marquess' Question referred.

ADMIRALTY COURT BILL.

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR moved the second reading of this Bill, the object of which is to enable Serjeants, Barristers-at-law, Attorneys, and Solicitors, to practise in the Court of Admiralty.

Moved, That the Bill be now read 2ª.

LORD WYNFORD thought the proctors ought to receive some compensation for the injury which they would sustain under the provisions of the Bill. He understood that this measure had not even been submitted for the consideration of the learned Judge who presided over the Court.

THE LORD CHANCELLOR said, he thought they had already received more compensation than they ought to have done. But besides that, their Lordships had no power to interfere in the matter, and he did not think the public ought to compensate gentlemen for the losses which they might sustain in consequence of professional changes.

LORD CHELMSFORD objected to this Bill being passed without some compensation being given to the proctors for the loss of practice which it would occasion them, and contended that the change which it proposed to effect was not so urgent a matter that it need be hurried through Parliament during the present Session.

LORD CRANWORTH denied that the Proctors had any claim to compensation, and stated that Dr. Lushington considered the admission of Barristers and Attorneys to practise in the Admiralty Court to be absolutely necessary and extremely urgent.

LORD BROUGHAM said, that if the proctors were compensated there would be no end to similar claims, which would constitute the greatest possible obstacle to the amendment of the law. It was, moreover, not competent for their Lordships to deal with money questions.

THE EARL OF RIPON said, that in 1857 the Government promised that this Court should be opened, and if the matter was urgent then it must be urgent now.

Motion *agreed to.*

Bill read 2ª accordingly, and *committed* to a Committee of the whole House on *Friday* next.

JURY TRIAL (SCOTLAND) ACT AMENDMENT BILL.

SECOND READING.

THE LORD CHANCELLOR moved the second reading of this Bill, the only object of which he stated to be to reduce from six to three hours the time during which a jury in a civil case must remain in deliberation before the verdict of nine can be taken. The law, and the amendment of the law, was applicable only to the Scotch system of jury trial.

LORD CHELMSFORD said, he was glad to hear that his noble and learned Friend had no intention of making any attack on the English system. If those who understood the opinions and feelings of the Scotch people thought the Bill would be productive of advantage he had not a word to say against it.

Bill read 2ª, and *committed* to a Committee of the whole House on *Friday* next.

NORTH-WESTERN TERRITORIES (BRITISH AMERICA) BILL.

SECOND READING.

THE DUKE OF NEWCASTLE, in moving the second reading of this Bill, said it was rendered necessary by the decision of the Government not to recommend the renewal of the licence of the Hudson's Bay Company for the exclusive trade over these territories, which expired in May last. Its objects were—first, to give power to the

Crown to nominate justices of the peace in the territories hitherto administered by the Company under their licence, who would dispose of the ordinary criminal cases, reserving, however, those of a graver nature for the tribunals of the neighbouring colonies of Canada or British Columbia; and to enable Her Majesty to make regulations for trading with the Indians.

Bill read 2^a, and *committed* to a Committee of the whole House on *Monday* next.

STEAM POSTAL COMMUNICATION WITH AUSTRALIA.

MOTION FOR COPY OF CONTRACT.

THE MARQUESS OF CLANRICARDE begged to inquire of Her Majesty's Government what decision had been announced or communication made to the various parties who had sent tenders to the Admiralty on the 1st of July, in accordance with the advertised invitation to that effect, for the mails to Australia *viâ* Panama in steam-ships; and, if none had been given, whether Her Majesty's Government had abandoned the intention of establishing the line of mail steamers contemplated in the advertisement. The noble Marquess also moved, That there be laid before this House, a Copy of any Contract legally perfected and in force at this Moment for the Conveyance of Mails in Steam Ships to Australia by any Route. The want of a rapid communication with the Australian colonies had been recognized both by this country and by the Colonies, and the Legislature of New South Wales had voted £50,000 for improving the communication. Upon urgent representations it had been determined to establish a direct route *viâ* the Isthmus of Panama. Tenders for the conveyance of the mails by the new route were directed to be sent in by the 1st of July; but from that day to this he believed no notice had been taken of those tenders. If such were the fact, he thought the parties concerned, and the public also, had a good right to complain. First of all, the colonists had a right to complain, because they had sent a deputation to this country on the subject, and had received an assurance that the communication they desired would be granted. But it was still more unfair to the people who had sent in their tenders, because they had already incurred considerable expense, and made all their arrangements.

THE DUKE OF SOMERSET said, that the mail contracts were originated by the Treasury and not by the Admiralty. When the Treasury decided to establish a packet postal service to any part of the world, they laid down certain rules and regulations, and then sent them to the Admiralty, to arrange for the service. The Board of Admiralty issued forms for the contracts and arranged as to speed, time, and other details. When the tenders came into the Admiralty they were sent to the Treasury for their final decision; so that the Admiralty exercised a very subordinate part in the arrangement. As regarded the first question of the noble Marquess, he had to state that tenders were advertised for in the month of May last; that they were subsequently received by the Board of Admiralty, and by them sent in to the Treasury; and were now under the consideration of that Department. He thought, however, he ought to mention that the Treasury had paused before they decided upon the points submitted to them, in consequence of the whole question of mail contracts having been submitted—very properly he (the Duke of Somerset) thought—to a Select Committee of the House of Commons. It was highly desirable that there should be rapid communication between this country and her Colonies, but he thought it very doubtful whether they ought, under the present circumstances, to establish another line of packets. As regarded the line by way of Suez, which came into operation in the month of February last, that would also be by contract; but although the communication had been commenced, and the packets regularly running for some time past, yet the contract had never been signed, in consequence of a difficulty which had arisen as to the places where the packets should call. This question had been discussed by the Treasury and Admiralty, but the only answer he could give at present was that no contract had been signed, and therefore none could be laid upon the table of the House. The whole subject being now under the consideration of a Select Committee of the other House, it was only reasonable that the Government should wait for a short time and see what the Committee would do with regard to the present system before they entered into any new contract.

THE MARQUESS OF CLANRICARDE said, it appeared from the answer of the noble Duke that there was in reality no contract existing for any postal service with these important dependencies.

THE DUKE OF **NEWCASTLE** said, that verbally, there was no contract in existence, because none had been signed and sealed; but it might be considered that in fact there was one, for the terms had been agreed upon, and the only question was, whether the packets should call at the Mauritius or not. As soon as that was settled the contract would be signed, and when signed there would of course be no objection to lay it on the table of the House. In reference to the Panama route, he might observe that the parties had been informed at the earliest possible opportunity that nothing more would be done until the question of contracts had been fully considered by the Select Committee of the other House. Another obstacle had arisen to postpone the completion of this matter. It had been decided by the late Government that the Treasury should undertake to arrange the whole of these contracts, and in the month of November last circulars were issued to all the Australian Governments, calling upon them to express their opinions in reference to this subject, and as to which route should be adopted. The whole of the answers had not come in; indeed only one had been received—that from New South Wales. The Government of that colony had acted more rapidly than the others, and they had granted a magnificent subsidy of £50,000 a year towards the new line. It would be admitted how important it was that the interests of all these colonies should be consulted, and that they should not establish a new line of postal or mail communication for the benefit of one or a portion of these colonies which might eventually be objected to by others, and a third proposed line be the result, until the whole of them broke down, as was the case some years ago, the colonies being left without any communication at all.

LORD **STANLEY OF ALDERLEY** said, that what he had to object to was that a great number of these matters had been decided almost entirely by the Treasury, without special communication with other Departments, who ought to have been consulted before a final decision was come to. Formerly the Colonial Office, the Admiralty, and the Post Office were all consulted as to the way in which the postal communication was to be carried out. He hoped that greater care would be taken with reference to all future contracts, and that although the decision as to pecuniary arrangements rested with the Treasury, he hoped that in the general settlement of the subject other Departments would be consulted.

EARL **GRANVILLE** entirely concurred in thinking the arrangement suggested by the noble Baron most judicious; not because the Treasury was incompetent to make contracts, but because they lost the value of it as a check when it initiated charges of that kind.

LORD **REDESDALE** regretted extremely that the Post Office was no longer mainly responsible for arrangements connected with the packet service. It was unfair to throw the charge upon the Naval Department, as it had practically nothing to do with the navy, and, while it increased the Navy Estimates, it allowed the Post Office to show a surplus when in reality no surplus existed. If the cost of the packet service were charged to the Post Office, they would know what the real net revenue of that department was, and the Post Office department would be more interested in seeing that the service was properly performed. The Treasury should check the expenditure; the Admiralty should give advice on naval points; but the Post Office should be responsible for all the arrangements connected with the packet service.

THE MARQUESS OF **CLANRICARDE** said, that the question was one of maintaining still more closely the intimacy and connection that existed with our colonies, the promotion of loyal feeling in our dependencies, and the maintenance of rapid intercommunication for the benefit of our commerce, which was the foundation of the prosperity of both countries. He agreed that for all these purposes there ought to be a responsible Minister to deal with the jealousies that existed in the various Departments, and impose checks upon them.

House adjourned at a quarter before
Seven o'clock, to Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, July 22, 1859.

MINUTES.] PUBLIC BILLS.—1° Income Tax, &c.; Queen's Remembrancer, &c.; Police (Counties and Boroughs) Law Amendment; Vexatious Indictments.

2° Boundaries (Ireland); Local Government Supplemental; Medical Acts Amendment; Thames Conservancy.

3° Bankruptcy and Insolvency (Ireland) Act Amendment; Diplomatic Pensions.

TROOPS FOR INDIA—QUESTION.

Sir DE LACY EVANS said, he wished to ask the Secretary of State for India whether it be true that 5,000 men of the Indian Depôts are ordered to be embarked for India; and if so, what proportions of this force are intended to be of Her Majesty's regular and local forces?

Sir CHARLES WOOD said, the hon. and gallant Gentleman must be aware that it was an ordinary and a proper thing to relieve the troops serving in India. There were under orders for embarkation 6,728 men, of whom 2,360 belonged to local corps, and 4,368 to the regiments of the line.

THE DIPLOMATIC SERVICE.

QUESTION.

Mr. WISE said, he would beg to ask the Secretary of State for Foreign Affairs whether he proposes to sanction the altered regulations ordered by the Earl of Malmesbury for the examination of Candidates for the Dilpomatic Service; or whether he contemplates the re-establishment of the regulations which were settled by the Earl of Clarendon in 1855, and were approved of by the Civil Service Commissioners as calculated to secure the aid of well-qualified persons for the Public Service?

Lord JOHN RUSSELL said, the regulations ordered by Lord Mamesbury did not require any sanction from him; but in the ordinary course they would come into operation without any interference on his part. He had looked into the regulations of Lord Clarendon, and he confessed he did not see that there was any good reason for making the alterations that had since been made. There were, however, some of the observations of Lord Malmesbury that were worthy of attention; but he (Lord John Russell) would consider the whole subject with a view to see whether the regulations of Lord Clarendon should be restored.

DOCKYARD PROMOTION.—QUESTION.

Mr. WISE said, he wished to ask the Secretary to the Admiralty whether it is true that Mr. Churchward, junior, a third class clerk in Deptford Dockyard has been recently appointed Store Receiver of Chatham Dockyard; what were the services which led to so great a promotion; and what are the salaries of the two offices alluded to?

Lord CLARENCE PAGET said, it was quite true that Mr. Churchward, a second class clerk at Deptford, had been appointed to the Store Receivership at Chatham. The salary of his former office was £225 per annum; and that of his present one was £450. With regard to what Mr. Churchward's services had been to lead to so great a promotion he (Lord C. Paget) thought he had better leave that question to be answered by the right hon. Gentleman the late First Lord of the Admiralty.

AFFAIRS OF ITALY.—QUESTION.

Mr. HORSMAN said, he rose to ask the Secretary of State for Foreign Affairs whether the French or Austrian Government have communicated to the British Cabinet the conditions of the Peace concluded at Villafranca, and the mode in which it is proposed to give effect to them; and whether the co-operation of England and the other Neutral Powers have been invited for that purpose?

Lord JOHN RUSSELL: I have to state, Sir, that the French Government have communicated to the Government of Her Majesty the conditions of the Peace concluded at Villafranca. They are not, however, as yet in a fit state to be laid before the House. In respect to the communications which have been passed between the two Governments, I think it would be better to name some day next week for making a statement on the subject. I shall, therefore, on Thursday next, if possible, or at all events on Friday next, state to the House what the precise conditions of the Peace are; and in what position we stand in respect to France in relation to the late Treaty of Peace. I do not think it necessary to enter further into the question now.

STAMP DUTY ON MEDICAL DIPLOMAS.

QUESTION.

Lord FERMOY said, he wished to ask Mr. Chancellor of the Exchequer whether he intends to remit or reduce the Stamp Duty on the Diplomas for Licence or Fellowship of the Royal Colleges of Physicians of London, Edinburgh, and Dublin, and the Degrees granted by the Universities of Scotland?

Mr. LAING said, it was proposed to reduce the Stamp Duty on the Diplomas for Licences of the Royal Colleges referred to; but it was not proposed to interfere with the Stamp Duty for Degrees granted by the Universities of Scotland.

THE DANUBIAN PRINCIPALITIES.

QUESTION.

Lord HARRY VANE said, he rose to ask the Secretary of State for Foreign Affairs when the Papers relating to the Settlement of the Government and Constitution of the Danubian Principalities will be laid upon the table of the House ?

Lord JOHN RUSSELL said, he did not think that any Papers had been asked for with regard to the Settlement of the Government of the Danubian Principalities. In fact the Settlement had not yet been made. There had been communications with the Government of the Sublime Porte, and an answer had been returned ; but there had not yet been any final Settlement made on this subject. He trusted, however, that not more than a week would elapse before there was a final Settlement; and if so, he should have no objection, if his noble Friend moved for them, to lay the Papers on the Table.

Moved, That the House at its rising do adjourn till Monday next,

HAYTER'S PICTURE OF THE FIRST REFORMED PARLIAMENT.

QUESTION.

Lord HOTHAM said, he rose to ask the Chancellor of the Exchequer for an explanation of the following paragraph in the Report of the Trustees of the National Portrait Gallery to the Lords of the Treasury, dated April 15, 1859 :—

> "Her Majesty's Government have offered to the collection, and the Trustees have, with thanks, accepted the great picture of the House of Commons at the opening of the First Reformed Parliament in January 1833, as painted by Sir George Hayter, and as recently secured to the nation by a Vote of the House of Commons."

Hon. Members were aware that the picture in question had been placed in one or other of the rooms of that House during the last four years, but in the course of last year a proceeding of a most unusual character took place — a circular letter being sent, he believed, to every hon. Member in that House by the artist enlarging upon the merits of the picture, and stating that the Chancellor of the Exchequer had promised to move for a grant of £5,000 for its purchase with the view of adding it to the National Portrait Gallery. Feeling that, whatever the merits of the picture, it was not a fit object for the expenditure of public money, and feeling the impropriety and indecorum of canvassing letters being sent to Members asking them to vote for grants to be paid to the writer of those letters, he had watched the matter very closely. No grant was proposed, and he was therefore greatly surprised at the Report he alluded to, for if it was the fact that the late Chancellor of the Exchequer had promised to move such a grant there was no reason why he should not have fulfilled that promise. The grant was never proposed, and he now understood from the Secretary to the Treasury that it would be found in book No. 7 of the Miscellaneous Estimates. This being so, he could not help expressing his regret that in this instance the present Government had not agreed to walk in the path "chalked out" by their predecessors. If the noble Lords at the head of the Government and of Foreign Affairs—if the right hon. Gentleman at the head of the India Board and the descendants of those who were Lord Grey's colleagues at the time of the passing of the Reform Bill, chose to associate themselves together for the purpose of presenting this picture to the nation, he had no doubt that the Trustees of the National Portrait Gallery would receive it with thanks, but he was surprised that the Trustees, four of whom were Members of that House, should be parties to a statement which was incorrect, inasmuch as no Vote had been asked for. Considering that at any time the purchase of such a picture was not a proper outlay of a large sum of public money, and considering that at the present moment the Minister for War had stated that every sum of money that could be spared should be devoted to the advancement of the national defences, he trusted that if this grant should be proposed by the Secretary to the Treasury, the House would refuse to sanction it.

Mr. LAING said, that as the sum, not of £5,000 or 5,000 guineas, but of £3,000 had been, on the recommendation of the Trustees of the National Portrait Gallery, agreed to be paid for the picture in question by the late Government he did not think it proper to strike the sum out of the Estimates. The Vote would come on during the consideration of the Estimates, and he thought that the proper time to decide whether the Vote should or should not be sanctioned would be when it was asked for.

MR. DISRAELI said, that he had not entered the House in time to hear all that had fallen from the noble Lord, but from what he had heard he thought it would not be unbecoming in him to make a short statement. The picture which was the subject of discussion was recommended to the late Government by a memorial signed, he believed, by more than two-thirds of the late House of Commons as being one which ought to be purchased by the nation. He could not well call to mind the sum that was asked for it, but probably it amounted to £5,000. When the memorial was placed before him, he thought it best to consult several gentlemen of great eminence, one or two of whom had occupied the highest posts in the counsels of Her Majesty and were Members of that House, and he requested their opinion as to the course it was desirable to take. After having well considered the subject, they recommended that the picture should be purchased at a much more moderate sum than that which was originally asked. It being then determined to purchase the picture, which was one of great historical interest, and which a great majority of the House was anxious should be purchased, it became necessary to decide where it should be placed, and the late Government considered that the new Gallery of Historical Portraits, which had been managed with signal success and was of great interest and value, was the proper place for it. The picture could not have remained in the House of Commons, as there were objections to retaining it there, and the late Government, therefore, took the course indicated by the noble Lord. When the Vote should be brought before the House, he could not doubt but that the House would approve it.

LORD ELCHO said, the right hon. Gentleman the late Chancellor of the Exchequer had done him the honour of consulting him as to the purchase of the picture. The noble Lord the Secretary for Foreign Affairs and the hon. Member for Brighton (Mr. Coningham) were also consulted on the matter. They all reported in favour of the purchase of a picture of great merit, and which represented one of the great land-marks in our history, and the late Government acted upon their advice. He was one of the trustees of the National Portrait Gallery, and was certainly under the impression that the money had been voted.

Subject dropped.

Mr. Laing

GREAT YARMOUTH MAGISTRACY.

QUESTION. OBSERVATIONS.

MR. MELLOR said, he rose to call the attention of the House to the recent appointment of Justices of the Peace for the Borough of Great Yarmouth; and to inquire of Her Majesty's Ministers whether it is their intention to introduce any measure for regulating the appointment of Justices of the Peace for Boroughs in England and Wales. He became a candidate for the borough of Great Yarmouth in 1857, and in the course of his canvass he found that several persons declined to promise to vote for him on the ground that if they did so they would not be able to obtain any licences for the public-houses they were erecting. He made inquiry into the circumstances, and he found that there were eighteen acting magistrates for the borough, fourteen of whom were Tories, or Conservatives, only three Liberals, and one neuter. It was represented to him that in consequence of this state of things there was great dissatisfaction, and a great sense of insecurity and uncertainty with respect to the integrity of the decisions which might be come to on licensing days, and on matters connected with the licensing system. It turned out that on licensing days magistrates who never attended on other occasions came down, and by a large majority refused to give licences to houses which did not belong to persons of their party, and that with respect to overseers, the practice was to appoint three Tories to one Liberal. The consequence was that great suspicion was entertained as to the way in which the Parliamentary registry for the borough might be got up. He presented a memorial from the inhabitants to the Government on the subject, and Lord Chancellor Cranworth thought that the mere preponderance of one political party was not a ground to induce him to interfere, but on receiving a further statement, and on the three Liberal magistrates declining to attend the bench unless fortified by some addition to their number, as they felt that under the circumstances it was useless to attend, and after notice was given to the Town Council and Mayor, and every inquiry had been made, Lord Cranworth added six additional magistrates to the bench, making nine Liberals to fourteen Tories, or Conservatives. The announcement of this addition caused great excitement in the town, and the Town Council and Mayor made a representation to the Lord Chancellor to induce him to withhold the appointments. This led to further inquiry, which induced Lord Cranworth to feel that it was his bounden duty to make the appointments. Thereupon a petition was presented to the House of Lords complaining of Lord Cranworth's conduct. A memorial was also presented, in which it stated that these magistrates were all of one party, and had been appointed because the majority of the bench did not vote for the Liberal candidate at the last election. It was also alleged by the Conservative body in the borough that the bench of magistrates was already too numerous, and that no necessity existed for any addition to the number. The answer of Lord Cranworth was, that it had been represented to him that Sir Edmund Lacon, now a Member for the borough and one of the magistrates, was not only a banker but a brewer, and the proprietor of a large number of public-houses, and that he had great influence with his brother magistrates. Lord Cranworth also said that in consequence of the complaints made to him that justice was not properly administered in connection with the granting of licences, he had thought it right to appoint the six new magistrates. On a licensing day, subsequently to the presentation of the memorial, a division of sixteen to eight took place on the bench. Under these circumstances, and after the remonstrances of the then Mayor and Town Council in 1857, on the ground that there were too many magistrates in the commission, and that there was no complaint of inattention to their duties on the part of these magistrates, what was the astonishment of the inhabitants of Great Yarmouth on the 13th of June, three days after the defeat of the late Government on the Amendment to the Address, to find that three new magistrates were added to the commission of the peace for that borough. A complaint had been previously made that the influence of Sir Edmund Lacon was too great in Yarmouth, but one of the gentlemen added to the commission was a partner in Sir Edmund Lacon's bank, and might therefore be supposed to be to some extent under his influence, and another was a gentleman who came up to town to remonstrate against the appointment of six magistrates by Lord Cranworth, and the third was a gentleman of whom he (Mr. Mellor) knew nothing except that he held the same political views. What reason, then, could there be for appointing three additional magistrates on the 13th of June? It was clear there was no deficiency in the number of magistrates, and the object could not be to correct a preponderance of Liberals over Conservatives, for there had previously been on the bench fourteen Conservatives to nine Liberals. Some clue might perhaps be found to the reason for these appointments in a speech made by the right hon. Gentleman opposite on a recent occasion, when a number of noble Lords and hon. Gentlemen assembled to condole with and to encourage one another on the position and prospects of the great Conservative party. At that meeting that distinguished speaker is reported to have said, " There is a party in the country—which is the best security for public liberty and good government — a party whose policy has been to maintain the institutions of the country—to uphold the prerogative of the Crown—to support the privileges of Parliament, whether hereditary or elective—to maintain the national Church in alliance with the State, and not dependent upon it—to sustain that great principle of local government which has guaranteed liberty throughout the land, and which has been mainly supported by independent corporations and by independent bodies of magistrates." He (Mr. Mellor) could only suppose that the appointments to which he had referred had been made with the view of increasing independent bodies of magistrates. It appeared from returns which had lately been laid before the House that from 1854 to March, 1858, the number of magistrates appointed in the County Palatine of Lancaster was seventy-six, while in the subsequent sixteen months no less than 122 magistrates had been appointed for that county. In the borough of Ipswich there were, up to 1851, only four magistrates ; on the 25th of September, 1852, when his hon. and learned Friend (Sir Fitzroy Kelly) was a law officer of the Crown, there was an addition of six gentlemen to the commission of the peace ; and on the 14th of April, 1859, nine other names were added to the commission, thus making in all fifteen new appointments. It appeared from these returns that in many places the number of magistrates had been very suddenly doubled, or more than doubled. Lord Cranworth had only put six new justices upon the list at Yarmouth, under the supposition that amongst the Conservatives there would always be a certain number who would give conscientious votes, and that therefore six would be enough; but the result of the division, when sixteen voted on one side and eight on the other, showed that the noble and learned Lord's experiment had proved a failure. He (Mr. Mellor) wished that the present system, by which the duty of applying to the Lord Chancellor was thrown upon Members of Parliament, might be abolished. He could assure the House that when he canvassed Great Yarmouth, he had been quite disgusted at the suggestions that he would be expected to make or to support recommendations to the Lord Chancellor with regard to the appointment of borough magistrates, and he at once came to the conclusion that the system of such appointments required investigation and amendment. Lord Cranworth had also communicated to the Town Council his intention to increase the number of the bench of magistrates, but in the case of the recent appointments he believed that no such communication had been made, and that no opportunity had been afforded of remonstrating or of making any representations as to the character or fitness of the new magistrates until the appointments had been made. He begged to ask whether it was the intention of the Government to introduce any measure for regulating the appointment of justices of the peace for boroughs in England and Wales?

Sir HENRY STRACEY said that, as one of the representatives of Great Yarmouth, he felt it due to his constituents to endeavour to make some reply to the observations of the hon. and learned Gentleman. Of all men in the world, he would submit with the greatest deference the hon. and learned Gentleman was the very last who ought to have come forward to make such allegations. He had in his possession a statement published by the hon. and learned Gentleman in the Norfolk newspapers which seemed to him to justify that opinion. The hon. and learned Gentleman had said that he had lately presented a petition from Great Yarmouth. It had been made to appear as if the inhabitants of Yarmouth were opposed to the appointment of these three gentlemen. He had, however, taken the trouble to look at the petition, and he found that it contained the signatures of just five persons, and those of no great social standing, out of a population of between 35,000 and 40,000 of whom 1,300 were electors. He doubted whether any other Member, except the hon. and learned Gentleman, representing a borough of equal magnitude, would have had the hardihood to present such a petition. The hon. learned Gentleman complained that there were thirty-one magistrates for Great Yarmouth; but how had that number been created? Why, at the instance of the hon. and learned Member for Nottingham, who had waited upon Lord Cranworth and obtained from him the appointment of six new magistrates, all of one political feeling. But that was not all. The hon. and learned Gentleman had recommended nine to Lord Cranworth, from whom the six were chosen, and yet, though he had sought to get three more than that noble and learned Lord consented to appoint, he now complained that thirty-one were too many for the requirements of the town! In 1858 the Yarmouth bench consisted of twenty-five magistrates, the six added made thirty-one; and if the hon. and learned Gentleman had had his way there would have been thirty-four. But what would the House think when it was told that, while the hon. and learned Gentleman modestly acknowledged to having got six new magistrates made, he had kept altogether in the back ground the fact that he had actually brought up a list of fourteen names? If the hon. and learned Gentleman disputed that, it could be substantiated from a statement that he had made apparently in his own justification, in consequence of the jealousies which existed between him and other portions of the Liberal party in Yarmouth. In that town, as in that House, the Liberals were divided into various sections, which were named after their respective leaders, and called Macullaghites, Youngites, Watkinites, and Mellorites. In securing six new Liberal magistrates the hon. and learned Gentleman had only acted in conformity with the promises made by the gentleman he had succeeded, that gentleman being the hon. and learned Member's own relation, who was unseated on petition. Two of the Liberal candidates had undertaken, if they themselves were returned to Parliament, to have a certain number of Liberal magistrates elected. Being, however, unseated on petition, they had not an opportunity of making their application to Lord Cranworth, but the matter had, instead, been taken up by the hon. and learned Member, who, if he could not get his whole fourteen names appointed, at least got six of them. Whether that was not carrying out what had been promised to the voters if they would only return two Liberal Members the House might be left to determine. The hon. and learned Member had spoken of the partiality shown by Conservative Lord Chancellors in giving the Conservatives a preponderance on the Yarmouth bench. Now, if certain of the Yarmouth magistrates finding out the error of their ways had thought fit to change their politics, that was entirely their own affair. Certainly two Members of the bench, who were Liberals when appointed, and had for years consistently supported Liberalism, had subsequently left that party. On the passing of the Municipal Reform Act in 1836 a batch of ten magistrates was given to Great Yarmouth, every one of whom without exception was chosen from the ranks of the Liberals. In 1840 an addition of five members was made to the bench, only one of whom—having property in the town, but living sixteen miles from it, and seldom or ever attending the justices' room—was a Conservative. In the following year four more were appointed, every one of them being Liberals, thus making eighteen Liberals to one Conservative. The Conservatives, naturally dissatisfied at having but one, and he an absentee, representative on the bench, made a remonstrance, and seven Conservative magistrates were accordingly created. In 1846, Lord Lyndhurst being Lord Chancellor, application was made to him for the appointment of six new magistrates. Having satisfied himself that the increase was necessary on account of vacancies having occurred, Lord Lyndhurst refused to create a mere party batch, and he therefore nominated four Conservatives and two Liberals. In 1852 another application was made to Lord St. Leonards, who, following the same equitable rule, also appointed four Conservatives and two Liberals. Up to that time it was clear, then, that the Conservative Lord Chancellors had displayed a more impartial feeling than the Lord Chancellors of the hon. and learned Gentleman's own party. The hon. and learned Member had said that he made the application in 1858 to Lord Cranworth which ended in the creation of six Liberal magistrates, in consequence of the representations made to him by his party. He maintained, therefore, that the existing number of magistrates in Yarmouth was caused by the hon. and learned Gentleman himself. Lord Chelmsford, it was true, upon application being made to him, appointed three magistrates, but that was done solely for the purpose of filling up two actual vacancies and one prospective vacancy. He could assure the House upon his own personal responsibility, that the gentlemen appointed by Lord Chelmsford were all eligible for seats on the bench, and, although he could not pretend to possess the legal knowledge of the hon. and learned Gentleman, he had no doubt the House would accept the word of a country gentleman as readily as it would that of any lawyer.

SIR GEORGE GREY said, that in the absence of the Home Secretary, he had to state that it was not the intention of his right hon. Friend or of the Government to propose any measure to Parliament to regulate the appointment of magistrates. It would be difficult, indeed, to lay down, by Act of Parliament, any precise rules upon such a matter, but at the same time he could not help saying that nothing could be more prejudicial to the fair and impartial administration of justice or the confidence which the people at present felt in such an administration than the practice of appointing magistrates with a view exclusively to their political opinions. That an attempt should be made upon each change of Government to introduce new magistrates without reference to the existing number was deeply to be regretted. The hon. and learned Member for Nottingham had referred to Lancashire, but that county occupied an exceptional position. Complaints did not often arise with respect to the magistracy in counties, because county magistrates were appointed upon the recommendation of the lords-lieutenant, who generally exercised a sound discretion. In the case of Lancashire, however, some check seemed to be wanted. In that county magistrates were appointed by the Chancellor of the Duchy without any reference to the Lord Lieutenant, and during the last sixteen months more than 120 magistrates had been placed upon the bench in that county, and he understood that at the present moment there were more magistrates in Lancashire than policemen. It would be his duty to ascertain whether any rule could be laid down, not in an Act of Parliament, but in his own office, for the purpose of putting a check on the existing practice in Lancashire, or, at all events, of insuring that before gentlemen were placed upon the bench there should be some inquiry as to the necessity for any addition to the number of magistrates.

Subject dropped.

ASSISTANT SECRETARY OF POOR-LAW BOARD.—QUESTION.

Mr. E. P. BOUVERIE said, he rose to ask whether it is proposed to fill up the vacant office of Assistant Secretary to the Poor-Law Board consequent upon the appointment of the former holder of the office to the chief secretaryship, vacated by the Earl of Devon. There were no less than four Secretaries in this department—a Parliamentary Secretary, a principal Secretary, and two Assistant Secretaries. From his experience of the business of the Board he could say there was no necessity for two Assistant Secretaries, and by the abolition of the office there would be saved to the country a sum of £900 per annum. It was a small matter, but it was small matters which went to swell the miscellaneous expenditure.

Sir JOHN TROLLOPE said, he quite agreed with the right hon. Gentleman that the Poor-Law Board had more Secretaries than were needed to do the business. He hoped, therefore, that the office now vacant would not be filled up. Although the amount involved might be small the saving of even £500 a year would be an earnest of the intention of the House to effect all possible reduction in the expenditure of the country. He was glad that the noble Lord at the head of the Government had promoted an able and meritorious public servant to the office of Chief Secretary.

Mr. SOTHERON ESTCOURT observed that he was not prepared to state that the vacant office was necessary, but he wished to express the hope that if it should not be be filled up, care would be taken at the same time to preserve such an establishment as would suffice to conduct the business of the department in the same admirable manner as hitherto.

Mr. C. P. VILLIERS said, he could not but regret that his right hon. Friend the Member for Kilmarnock (Mr. Bouverie) had not taken a more appropriate opportunity than the present for bringing this subject before the House. The right hon. Gentleman had neither taken any objection to the Vote when it passed some days ago, nor had he communicated with him afterwards or before the appointment, and which the right hon. Gentleman knew was already made. When he acceded to office his noble Friend directed him to inquire whether the vacancy alluded to was one which ought to be filled up, and he had accordingly sought for information from those who were best acquainted with the business of the Board. He applied to the Earl of Devon, who had filled with the greatest ability the office of secretary, and to the right hon. Gentleman (Mr. Sotheron Estcourt), and opinions more unequivocal, more decided, or leaving him less option, could not be given. The Earl of Devon, who having left the office had no interest in his opinion, declared that, unless the appointment were made, the business of the office would be thrown into confusion, and he ventured to say that the views of the right hon. Gentleman were hardly expressed in less strong terms. He (Mr. Villiers) regretted, indeed, that the right hon. Gentleman had not repeated to-night the purport of the advice he had given, or indeed the expressions he had used, recommending that the office should be retained. The only other authority he could refer to, was the Report of a Committee especially appointed by the Treasury, to inquire into the Poor Law Establishment, and to which the right hon. Gentleman had just referred, and he found that this particular office was pointed to as one really essential to preserve the efficiency of the department. On making further inquiry he found that the experiment of discontinuing the services of the Assistant Secretary was once actually made, and the vacancy continued open two years, but then, at the particular request of Sir G. Nicholls, than whom no man was better acquainted with the requirements of the office, the appointment was again made. On this occasion there were a great number of applications from persons who had no connection with the establishment, and who, he regretted to say, he had disappointed; but having heard that in such cases the Civil Service Commissioners had suggested that whenever it was possible it was most desirable to promote gentlemen already in the office to the higher situations, he appointed the gentlemen with whom he had no previous acquaintance who held the next most important office, and who had for upwards of twenty-three years discharged its duties with great zeal and efficiency, and whose salary was only increased thereby to £60. He had no interest himself in the matter, but he had shrunk from the responsibility of not filling up a place that was deemed, upon the best authority, to be essential to the efficiency of the establishment.

Mr. SOTHERON ESTCOURT said, that in what had just fallen from him he did not intend to give an opinion in favour of the proposition of the right hon. Gentleman (Mr. Bouverie), but only to warn the President of the Poor-Law Board that if he made any alteration at all he ought to retain as many heads of the department as at present.

THE ROYAL ENGINEERS.

OBSERVATIONS.

Captain LEICESTER VERNON said, he rose, pursuant to notice, to call the attention of the House to an Order issued from the Horse Guards materially affecting the organization of the Corps of Royal Engineers. He was sure, when the House recollected that it was to this corps they committed the scientific shore-defence of the empire, hon. Gentlemen would extend their courteous indulgence to him for a few minutes. The Order was addressed to the Deputy Adjutant General of the Royal Engineers, and was thus worded:—

"Sir—The Inspector General of Fortifications having been relieved of his military duties, I have the honour to signify to you the desire of his Royal Highness the Commander-in-Chief, that you will report to the Adjutant General of the Forces on all matters relating to the corps of Royal Engineers. General Sir John Burgoyne has been apprized of the arrangements on the subject. A. G. Wetherall, Adjutant General."

If it were possible that any Order emanating from the Horse Guards, and bearing the signature of the Adjutant General, could be wanting in regularity, he should say this Order came under that category. It was irregular because it was contrary to the rules of the service to communicate with an inferior officer, excepting through the channel of his superior officer. Now, until the Inspector General of Fortifications was denuded of military command, which could not be until after the promulgation of this Order, he was to all intents and purposes in command, and therefore none of his subordinates could be communicated with excepting through his medium. This fact lay within the official knowledge of the Adjutant General, and, knowing this, the course he adopted was irregular. He would not say it was more irregular, because the Order was directed against a high military position occupied by a general officer of high rank; he would not say it was more irregular, because the Inspector General of Fortifications chanced for the time to be one of the most distinguished soldiers of the day—a soldier who has seen more battles and sieges than any living man; for he did not approach the subject on special but on general grounds. This Order had given great dissatisfaction to the officers of the Royal Engineers. They did not understand what was meant when it was said that the Inspector General of Fortifications, still being Inspector General, was relieved of his military duties. They had yet to learn that fortification was not a military duty. If it were not military, what was it? Was it a civil duty? Was it architecture? Was it building? Was it the greatest science of war presided over by military officers of rank, or was it a mere heaping together of bricks and mortar, which could as readily be ruled by an eminent contractor as by Vauban himself? Recent events in Italy had answered that question. When the so-called victorious armies of France and Sardinia, after the battle of Solferino, stood paralysed on the banks of the Mincio, they were checkmated by the four fortresses which it was the fashion to call the *quadrilatère.* That proved that fortification was a military duty. Now, you could not cut the corps of Royal Engineers in two; you could not divide their duties under the different heads of bayonets on the one side and brickbats on the other; you could not deprive the Inspector General of Fortifications of the military control over the military officers under his command without sacrificing the service. In the Royal Commission which sat in 1836, the Duke of Wellington, Sir Henry Hardinge, and Sir James Kempt (then Master General of the Ordnance), gave it in evidence that the duties of the officers of Engineers were so blended that it was impossible to separate them. If you destroyed the unity of the corps, you destroyed the *esprit de corps;* if you destroyed that, you destroyed the corps altogether. He had said this Order was irregular. He went further; he demurred to its legality. When the office of Master General of the Ordnance was abolished, the duties of the office of the Inspector General were defined by an Order in Council and by Royal warrant, and he doubted the power of any department to make any alteration in this without an Order in Council. The officers of the scientific corps, both Artillery and Engineers, saw with much dissatisfaction that there was a growing disposition to set aside senior officers and to rule both services by junior officers, inferior in position, inferior in rank, inferior in experience. This gave great umbrage to a large body of officers, and he ventured to warn the Secretary for War that the setting at nought the very first clause in

Her Majesty's Regulations for the Army—that command belonged of right to the senior officer—was invidious in practice and vicious in principle, because it was subversive of discipline. He would ask the right hon. Gentleman whether he had any objection to lay on the table the correspondence which had taken place on this subject?

MR. SIDNEY HERBERT said, he regretted that the hon. and gallant Officer had thought it necessary to bring this question before the House. The change referred to was, after much consideration, made some time ago (not by the present Government) for the purpose of carrying out the recommendation made, that there should be a division between the *personnel* and *matériel* of the army, the former being placed under the Commander-in-Chief and the latter under the Secretary for War. He would not now express an opinion as to the wisdom of such an arrangement, he would merely state that the subject was referred—at all events, it was a part of the subject referred—to a Select Committee now sitting upstairs, under the presidency of his right hon. Friend the Member for Carlisle (Sir J. Graham) who were inquiring into the whole question of the organization of the military department. Probably, the hon. and gallant officer was not aware of this fact. [Captain VERNON: "Hear!"] At all events, as the subject was under consideration, he hoped the Question would not be pressed.

AFFAIRS OF ITALY—OUR FOREIGN RELATIONS.—QUESTION.

MR. BAILLIE COCHRANE said, he had given notice that he would ask the noble Lord the Secretary of State for Foreign Affairs, whether he will lay on the table of the House, Copies of the Despatches which have passed between the noble Lord and Lord Cowley and Sir James Hudson, since the announcement of the Armistice between France and Austria. After the discussion of last night, however, and the Motion of which the noble Lord (Lord Elcho) had given notice for Monday week, he thought he should exercise a wise discretion in refraining from pressing the question. There was, however, one point connected with foreign affairs on which great misapprehension seemed to exist, and respecting which, it was necessary that the real state of the case should be known both here and abroad. In the *Journal des Débats* of yesterday there was a most violent attack on this country, and from it he would read one sentence.

> "England, who inquires about a vessel more or less at Brest, and who votes 300 millions for her navy!—England, who counsels so loudly the Continent to disarm!—is she going to set the example, and withdraw from her order of the day this programme of menace and fear, the fatal effect of which we have been obliged to notice, keeping in view the alliance we should wish to preserve?"

Now, he wished to point out the great exaggeration which prevailed as to the present state of our navy, compared with its position in former years. He found that in 1793 we had eighty-three ships of the line, ninety-nine frigates, and the grand total, including sloops and corvettes, was 531; in 1794, we had eighty-nine ships of the line, 113 frigates, and altogether 624 pennants; in 1795, 102 ships of the line, 133 frigates, and a total of 744 pennants; in 1796, 108 ships of the line, 145 frigates, and a total of 834 pennants; in 1801, 112 ships of the line, 147 frigates, and altogether 1,070 pennants; in 1803, eighty ships of the line, ninety-nine frigates, making 1,770 pennants; in 1804, eighty-six ships of the line, 200 frigates, or altogether 1,874 pennants. He believed that the noble Lord (Lord C. Paget) hoped to have in the year 1860 about forty-four sail of the line, making 307 vessels altogether. [Lord C. PAGET: We expect to have fifty sail of the line afloat at the end of the financial year.] What, then, became of the outcry of the extent of our naval armaments when we contrasted our present force with the 1,700 pennants flying in 1804? He thought that people were ignorant of the vast naval armaments kept up fifty years since. It was not his intention, however, to draw the House into a discussion on foreign policy, as the noble Lord the Secretary for Foreign Affairs had announced that it was his intention on Thursday next to make a statement to the House.

HARBOURS OF REFUGE.
QUESTION.

MR. PEASE said, he wished to ask the First Lord of the Treasury, whether it is the intention of the Government to propose to the House, during the present Session, any measure with a view to the encouragement of the formation of Harbours of Refuge on the coasts of the Kingdom, in conformity with the Report of the Royal Commission of last year upon this subject. It was proved before the Commission, that there was no part of the coast which so much required harbours of refuge as the east coast, and there was no part of that coast which offered such facilities as the bay of Tees, in the county of Durham.

VISCOUNT PALMERSTON: Everybody is aware of the great importance of harbours of refuge upon those points of the coast especially to which the hon. Member refers, and the Report of the Commissioners confirms his views. But their calculation of the expense of forming the harbours of refuge recommended by them is £4,000,000 sterling, and those who are acquainted with the adaptation of the cost to the estimate in works of that description, will say whether the expense is not likely to be much greater than the estimate. I have, therefore, to state that Her Majesty's Government have no intention during the present Session of making any proposal on this subject.

SIR FREDERIC SMITH said, thata one of the Commissioners, he wished to remind the noble Lord that the Commissioners did not recommend an expenditure of more than £200,000 per annum. When the House recollected that 800 lives per annum and a vast amount of property were lost for want of harbours of refuge, it was not unreasonable to expect that the Government would turn their attention to the subject. The estimates of expense had been gone into with the greatest care by civil engineers, and as he had himself revised them, he could venture to say they exceeded the amount that would be required. Considering that only £200,000 would be wanted per annum, he hoped that the Government would propose a Vote for that sum in the next Session of Parliament.

GUANO.—QUESTION.

MR. GREGORY said, he wished to ask the Secretary of State for Foreign Affairs if any communications have lately been received from the Peruvian Gevernment on the subject of the reduction of the price of Guano. Guano was now an article of such primary necessity in Ireland, that any reduction in the price of it would be of the greatest benefit to the small farmers of that country. By the instrumentality of the Earl of Malmesbury, a reduction, amounting to £1 per ton, had been made to the English consumer, who was now placed on the same footing as the American. He had, however, been given to understand that a still greater reduction might be expected, if proper representations were made to the President of the Peruvian Government by our *charge d'affaires* in that country. In July, 1858, the Earl of Malmesbury wrote to Mr. Jerningham to ask the President of the Peruvian Government to consider the propriety of making a material reduction in the price of guano. Mr. Jerningham took up the task with alacrity. and a discussion upon the doctrines of political economy thereupon ensued. The President appeared to think that it was better to sell a small quantity at a high price, and that the Peruvian bonds might thus be kept up, while Mr. Jerningham endeavoured to convince him that by selling a larger portion at a smaller price, a portion of the bonds might be paid off, and the remainder capitalized for the benefit of the State. In September, 1858, the correspondence was still going on, but at that date the Peruvian Government were not ready to recommend a reduction in the price of the article. The present was a proper time to press the matter upon the notice of the Peruvian Government, as there was a large stock of guano on hand. People would not purchase at the present price, and a great deal of ingenuity was at work to discover an article at a lower price. He trusted that the Government would continue to press a reduction of the price of guano upon the Peruvian Government.

LORD JOHN RUSSELL said, he was not aware that any very late communication had been received on this subject. The subject was one of importance, and he regretted the course pursued by the Peruvian Government, but of course if the Peruvian Government refused to listen, our Minister was powerless. He believed that at present there were 300,000 tons of Peruvian guano in store in this country of the estimated value of £3,000,000. The Peruvian Government appeared to be satisfied to sell a small quantity at a high price; but there were so many artificial manures in use that they were not likely to obtain the high price they demanded. If anything more could be done, Her Majesty's Government would be prepared to make a fresh representation to the Peruvian Government, but it was in the power of that Government to withhold the guano from the English market if they thought proper.

FLOGGING IN THE "PRINCESS ROYAL."
QUESTION.

MR. W. WILLIAMS said, he wished to

ask the Secretary to the Admiralty whether he had any objection to lay upon the table a Return of the name of the Captain of Her Majesty's ship *Princess Royal*, who ordered 2,141 lashes to be inflicted on fifty-three of the crew of that ship who were flogged in the year 1857, as stated in a Return presented to this House. He had received a letter from an Admiral expressing his concern lest the public should imagine that this amount of flogging was inflicted by Captain Bazley, the present Captain of the *Princess Royal*, and requesting him (Mr. Williams) to state the fact in the House. He was glad to find officers high in station taking that opinion of this degrading punishment. He could see no objection to giving the name of the Captain in question. If he had done right, there could be no object in concealment; and if he had done wrong, it was a public duty to know who he was. He hoped that the Lords of the Admiralty would take the matter of flogging in the Navy in hand, and make some stringent changes. If they did not, it would be the duty of the House to interfere in order to obtain the proper manning of the Navy.

Motion *agreed to.*

House at rising to adjourn till Monday next.

SUPPLY.

On Motion for the House to go into Committee of Supply,

TREATY OF VILLAFRANCA.—AFFAIRS OF ITALY.—QUESTION.

MR. DARBY GRIFFITH said, he rose to put the question of which he had given notice relative to the Treaty of Villafranca. In his opinion the time had arrived when our diplomacy should cease to bear the characteristics of secrecy. Diplomacy in the present day was conducted so well that it did not need to be protected from public observation, and he thought it would be greatly for the advantage of the country if the public were allowed the opportunity of knowing what was going on. There were many occasions upon which public opinion could have interfered with salutary effect, and without desiring to make any personal attack, he might specify the case that occurred ten years ago. Ten years ago an offer was made by Count Hummelauer, on the part of Austria, to the noble Lord opposite, to cede the province of Lombardy to Sardinia, but that offer the noble Lord had declined to accept. In the interval Italy had suffered countless miseries, and at this moment, so far as her future prospects were concerned, she was in no better position than when the offer was made, although her plains had been deluged in blood. Now he was firmly convinced that if the system of secrecy had not been adopted, and that offer had been made known at the time, public opinion would have been so decidedly expressed that the offer of Austria would have been acceded to, and that Italy would thus have been spared the frightful carnage we had so recently witnessed there. Another instance might be found in the evil which had resulted from the secrecy observed with regard to late events. Great injustice had been done to the Earl of Malmesbury on the subject, and which was only corrected when the blue-book which contained the correspondence relatinig to Italian affairs was published. That the noble Earl had been subjected to great misrepresentation there was no doubt, and he must say that he felt much surprise at the boldness of the noble Lord (Viscount Palmerston), when, with an utter want of consideration for the danger which the Government had escaped in consequence of the withdrawal of Lord Elcho's Motion, he ventured to say that the early communications of the Earl of Malmesbury with Austria showed an undue leaning in favour of the preponderance of that power in Italy—the fact being that the noble Earl had condemned the proceedings of Austria from the first. The hon. and learned Member for Sheffield and others sometimes said that the power of this country really resided in the House of Commons, that no important transaction could take place to which this House were not parties; but how were these transactions generally concluded? Not by that House, but in the Cabinet, in a room in some public office, by a half-dozen gentlemen, who were not more able to form a correct opinion upon the question at issue than the Members of that House. He contended then, that it was a complete anomaly that this House, which had to find the sinews of war by scarifying the population with heavy taxes, should have no voice whatever in the settlement of these matters, and that Ministers who, when carrying on negotiations, were entirely under the authority of this House, should, when peace was concluded, be removed from all influence on the part of the House. The late war in Italy had begun with hopes of independence that had excited the whole population of that country; but as he understood the treaty which had just been agreed upon between France and Austria, one of the stipulations was that the late rulers of Tuscany, Parma, and Modena should return to those countries. Now, if they did so with the goodwill of the people no one would be more delighted than he (Mr. Griffith) should be; but if it were meant that foreign Powers were to interfere for the purpose of reinstating these Princes in their former possessions, surely that was not the way to promote Italian independence? He did not presume that even the noble Lord the Foreign Secretary had all the information upon the subject that was satisfactory to himself. On the contrary, he dared say the noble Lord was very much in the same position in that respect as the rest of the world; but he should like the noble Lord, as far as he was able, to answer the question of which he (Mr. Griffith) had given notice, namely, whether he has reason to believe that there is a provision or understanding in the late Treaty of Villafranca that the late Dynasties of Tuscany, Modena, and Parma are to be restored to those possessions, if necessary by military force, and if so, whether her Majesty's Government are prepared to take part in any Congress or other diplomatic negotiation having that object?

LORD JOHN RUSSELL:—I understand from the Government of the Emperor of the French that there is no provision or understanding that the dynasties of Tuscany, Modena, and Parma are to be restored by military force. I further understand that it is not the intention of the Emperor of the French to use force for the purpose of restoring those dynasties.

THE NATIONAL GALLERY.

RESOLUTION.

MR. CONINGHAM said, he rose to move "That it is the opinion of this House that the system of management which now exists at the National Gallery is highly unsatisfactory, and is detrimental to the public service." The increased expenditure in all departments of the Government was matter of general observation. There was a growing feeling also among the people that they did not get value for the money expended, and they were discontented. The expenditure was so great and the system, as a whole, was so colossal, that no Member could deal with it in its entirety. But with regard to the expenditure on the National Gallery he trusted in a brief statement to be able to show that in that department a bad system had too long prevailed, and that it ought to be abolished. It appeared by the return which he held in his hand that during the last twelve years there had been an expenditure of £90,000 for augmenting our national collection of pictures, and he would boldly assert and appeal to those who had a knowledge of pictures, whether the National Gallery as it now stood, compared with what it was before the advent of its present administrators, had not positively deteriorated. It was not by the quantity of pictures, but by their quality that the value of a national collection was to be judged. So large a number of inferior pictures had been purchased for the National Gallery, that the masterpieces which adorned the walls were lost sight of in the mass of rubbish that had been collected around them. In 1857-8 the expenses for the National Gallery amounted to £29,000, but the Vote of this year was reduced to £9,000. In entering into this question he was not actuated by any personal feelings towards Sir C. Eastlake, by whom he had always been treated with courtesy; but a sense of public duty compelled him to set forth the errors of that gentleman's administration. Since 1845 Sir C. Eastlake had been attached to the National Gallery in various capacities. First of all, he was appointed keeper of the gallery, at a salary of £200 a year; but from that office he was soon driven by the censures of the press and the constant attacks which were made on his administration. His purchase of the Holbein portrait implied not only a want of knowledge of the master, but a want of knowledge of art, for that portrait was doubly a counterfeit. During Sir C. Eastlake's first administration, the last picture purchased was "the youthful Saviour embracing St. John," ascribed to Guido, but which was a disgrace to the National Gallery. When Sir C. Eastlake retired from the office of keeper, he became President of the Royal Academy, and as President he appeared at the board of the National Gallery as trustee, and while he was trustee there were various inferior and spurious pictures purchased, among which was "the Tribute Money," ascribed to Titian. In confirmation of the opinion he now expressed as to the maladministration of the National Gallery he might refer to articles in *Tait's Edinburgh Magazine*, and the *Westminster Review*. The *Examiner*, which paid a great deal of attention to questions of art, said the national collection was not in fit keeping under Sir C. Eastlake, and that it had come to that opinion not hastily, but advisedly, on due and careful consideration of the facts. But he need not go further on the subject than to the testimony of Sir C. Eastlake himself. In the evidence from which he had quoted he found, under date 12th November, 1852, that gentleman saying, "I approve of the result of the cleaning of the 'Queen of Sheba.'" Again March 31, 1853, "The 'Queen of Sheba' has been ill and tastelessly cleaned. It is now out of harmony, and I could not positively say that time will restore it. Dirt has the effect of glazing, and is quite as good sometimes." That was very different from the opinion of one who must be admitted to be a master on these subjects—Hogarth. That great master's words were, "It is absurd to talk of pictures being improved by time or dirt." In May, 1853, Sir C. Eastlake recommended that "The Annunciation" should be left without the glass that it might be improved by the dirt. He says, "Dirt gives gusto." That was Sir C. Eastlake's opinion of the cleaning process. As a specimen of his taste it was only necessary to quote his remark that "early German art was corrupted by the introduction of a classical taste." Even *Punch* assailed the system; he said, "Pictures carefully removed. Apply to the Director of the National Gallery." [*A laugh.*] Hon. Members might laugh, but it was their duty, as guardians of the public purse, to look after this large source of expenditure. He would next call attention to the pictures stated in the report to have been purchased this year. During that period eight pictures had been purchased, most of which were of a very inferior description, and did not deserve a place in the gallery. The first was an Antonio Moro, purchased from Mr. Nieuwenhuys. That gentleman was one of the most experienced dealers in London, and it would have been easy to get a good picture from him instead of giving £200 for such a wretched vamped-up specimen. The next was a Moretto, purchased for £360; then a Lippi and a Marco Zoppo, purchased for £200. The next was a Marco Basaiti, purchased in Florence for £640. This was one of the results of the £650 paid to a travelling agent whose approach was the signal for an immediate increase in the price of such works on the Continent. There was not an inch of the original surface picture left. The next a Zelotto, for £216; and last, was one called a Palmezzano, which was nothing but a coarse, common-place picture by some tenth or fifteenth rate artist. The same system of management still went on, except that the destruction of the pictures by cleaning had stopped—an admission that the system was wrong. The management made this country an object of ridicule on the Continent. When the agent arrived in any place the price of pictures at once went up 500 per cent, and he never got anything but the most indifferent specimens. £12,000 or £14,000 was paid at Venice for the Paul Veronese; and, shortly after an English amateur went over and purchased from the Manfrini gallery several Titians and Giorgionis, each of which was worth an acre of Veronese. The Paul Veronese was bought to cover the purchase of "The Adoration of the Magi," which after being hawked about for £400, was sold to the National Gallery for £2,000. This subject was one which would test whether the Government were in earnest in their promises of retrenchment and economy; and if he had made out his case, the noble Lord at the head of the Government was bound not to oppose his Resolution.

The Motion, not being seconded, fell to the ground.

MIXED EDUCATION IN IRELAND.

OBSERVATIONS.

MR. HENNESSY said, before the House goes into Committee, I am desirous of calling attention to the principle on which the grant for promoting public education in Ireland is administered, and of pointing out circumstances which I think justify me in expressing an opinion that the principle in question has not been practically successful. I shall confine my remarks to a statement of simple facts. I shall be contented with showing that the system of Mixed Education in Ireland has failed, and with indicating the natural causes of that failure. In the presence of some Members of this House who have had the experience of a quarter of a century of educational progress, and who worked at this very subject before I was born, it would approach presumption to do more. The delicate and difficult task of initiating a course of action, and of sketching the details of a new system, I shall not venture to undertake. Even if I possessed the experience and the administrative skill which such a task would demand, there are ample reasons to be found in the present state of Irish politics, and, above all, in the fact that the Bishops will shortly consider the whole question, why I should shrink from doing so. The Estimate for public education amounts this year to £1,328,000, of which £836,920 will be appropriated to England, and about £250,000 to Ireland. The principles upon which the money is distributed in the two countries are not only different but contradictory. In England the Vote is administered upon the denominational, religious, and separate system; whereas in Ireland it is granted on the principle of a Mixed Education. So distinct—or, indeed, it may be said so antagonistic—are these two systems, that what would constitute a natural and ordinary claim for aid towards a school in England would be a total disqualification in Ireland; and what constitutes a qualification in Ireland would be a disqualification in England. Public education in Ireland is divided into two great branches—first, the academical instruction given in the Queen's Colleges, and, secondly, the ordinary elementary instruction of the people in the National Schools. The Queen's Colleges have been in practical operation for ten years, and since their establishment they have received, in the shape of endowments and annual Votes, the sum of £266,516. To this must be added £100,000 as the cost of building the colleges, and £13,041 for ordinary repairs. That is, they have cost altogether £379,557. It is difficult to ascertain with perfect accuracy from the Commissioners' Report the number of individuals who have completed their education in these institutions and taken out degrees. It appears, however, that this number, up to the year 1858, does not much exceed 200. So that each graduate must have cost the country something over £1,500; or, if we exclude the original cost of building the colleges, something over £1,000 a-head. That is a fact unparalleled in the history of public instruction. The machinery employed in those colleges was not only the best for its purpose, but it was on the most extensive scale. The number of officers was 260, while the average number of students under their care since the commencement had been 135 every year, or 45 for each college. The total number of scholarships appropriated in each year from the public money was 165, or 55 for each college. In some of the faculties the number of scholarships in the three colleges occasionally exceeded the number of students, but it more generally happened that the number of scholarships and of students was nearly equal. In the Faculty of Law at the Queen's College, Cork, in the Session of 1850-1, there was one scholarship and no student; in 1852-3, one scholarship and one student; in 1853-4, one scholarship and one student; in 1854-5, one scholarship but no student; in 1856-7, one scholarship and one student. In his evidence before the late Commission the Dean of the Faculty of Law in that college recommended the abolition of his own faculty, on the ground that he had found no students. The principal faculty in those colleges, and the one on which the right hon. Baronet the Member for Carlisle, when introducing the system, laid the greatest stress, is the Faculty of Arts. Now, at the Queen's College, Galway, in 1850-1 there were 26 students to compete for 24 scholarships; in 1851-2, 10 students and 15 scholarships; and in every year since that period the number of scholarships had been greater than the number of students. The history of the colleges is simply an index to the history of the University. In the Queen's University several exhibitions and medals are open to the competition of the graduates. To gain a gold medal is to obtain, it is generally supposed, a very high honour. A gold medallist is always regarded as a man of note. In speaking of some of our most eminent public men, people refer to the gold medal as a distinction that even subsequent honours, however great, cannot overshadow. Of course the small number of medals compared with the very large number of competitors is an essential element in giving this conventional value to such honours. In 1855 four gentlemen proceeded to Dublin to be examined for the degree of Master of Arts. They all passed in a highly satisfactory manner, and obtained a degree. They then competed for honours, being examined for two days; and the result was that each of the four received a gold medal and a money exhibition. No doubt they deserved the honours they gained; but it was usual, in distributing gold medals, to confine the distribution within certain distinct limits. In the University of Dublin, for example, four gold medals could not be awarded unless there were 160 candidates, one never being awarded unless there were forty competitors for it. In this particular case of the Queen's University, the examiners, no doubt, found that there were four gold medals to be given away to a certain class of graduates, and, accordingly, they disposed of them fairly. No fault can be found either with the candidates or with the examiners. That there were only four of the former, instead of one or two hundred, simply indicates that the system has not been as successful in procuring graduates as the graduates have been in securing gold medals. This is a fair sample of what has taken place year after year in the faculty of arts. Even the Vice Chancellor of the University who, it may be presumed, is inclined to take a sanguine view of the subject, made the admission in 1856 that he found the number of candidates for degrees was four times less than it ought to be. The Vice President of Queen's College, Belfast, in his evidence before the Commissioners, noticed this also. He said:—"We observe this remarkable fact, that the number of graduates proceeding from these colleges has been diminishing for the last three years, and it is much below what it ought to be; and, therefore, it shows that the stimulus afforded by these honours is not sufficiently great to induce young men to go forward." The number of matriculated students entering the colleges has, with slight exceptions, steadily decreased since their establishment. In the first year there were 223 matriculated students in the three colleges; in 1851 the number entering fell to 152; in 1852 to 136; in 1855-6 it stood at 138; in 1857 at 119; and in 1858, the date of the last return, 109. I quote these numbers from the Commissioner's last Report. But that was not the whole evidence of the failure of the system. In the several Professors' classes the symptoms of failure were also to be found. In the class of English language at Queen's College, Cork, there were fifty students in 1849, thirty in 1850, twenty-one in 1851, and only twenty in 1858. The Professor of Greek opened his class in 1849 with fifty-six students, next year it fell to forty-eight, and now it was only twenty-seven. In the class of the Professor of Latin, the same steady decline in the attendance is to be seen. The Professor of History and English Literature at the college at Galway has only five students in his class; the Professor of Medicine has only five; and the Professor of Jurisprudence has only two. Some of the Professors have been actually left without a single student. With such facts as these before us, I think I am justified in asserting that the mixed system of academical education has failed in Ireland. There was another point deserving of attention. These colleges had been founded on a distinct educational principle—secular education, and religious control. When Mr. Wise, in the first instance, brought forward his Motion on the subject he declared his conviction that some religious instruction should be given in the colleges, and when Sir Robert Peel's Bill was before the House in 1845, Mr. Wise again advocated an Amendment to the same effect. Sir Robert Peel objected to the Amendment; but, though he would not allow religious instruction, he acknowledged the necessity of religious supervision, and stated that it would form an important portion of the Collegiate scheme. Now, the anticipations in which Sir Robert Peel had indulged in reference to those colleges had not, even in this respect, been fulfilled. In the first place, the Deans of Residence, who had been appointed when the colleges had been first established, found that they had almost nothing to do. The Deans of Residence who belonged to the Catholic Church had, indeed, long since ceased to be connected with the colleges; while, with reference to the licensed boarding-houses which were attached to these institutions, it might be seen from the last report of the Dean of Residence of the Established Church, that not a single student lodged in them whose name had been brought officially under his knowledge. So far, therefore, as the Deans of Residence and the boarding-houses were concerned—and they constituted the sole machinery for moral and religious supervision—the colleges presented an example of failure as great as that in which it was instanced by the small number of their students. This failure was not due to a want of ability on the part of the Professors. I take the liberty of bearing my humble testimony to the great talents, learning and industry which these gentlemen and the other officers have at all times displayed. I believe it is to be attributed to the fact that an attempt had been made to force mixed education on a Catholic people, in spite of the remonstrances and opposition of the authorities of the Catholic Church. But I go further, and assert that the national system of education in Ireland also has failed, though in a different manner. The nature of that failure the House will be able to appreciate when I mention the fact that in the county of Cork alone, where the number of children who attend the national schools amount to 65,000, all, except 471, belong to one religion. The national system of education in Ireland has been promoted, among other reasons, upon the ground that it would tend to unite the people of that country together; but if ever there was a system of public instruction which led to disunion and discord it was that system, and it would be overthrown by agitation in Ireland if not by a previous vote of the House. I am happy to say, that the Protestant Bishops and Clergy also take a decided view in reference to the subject, and maintain that no system of education should be conducted without a fair admixture of religious instruction. Secular education for the children of the labouring classes was a very serious experiment to try. You have been trying it for many years in Ireland and it has failed. But although the mixed system has broken down, the denominational or religious system has not taken its place in that satisfactory manner in which it is to be seen in England. The rules of the Board are still operative for evil. They check religious teaching, they prevent the most simple and ordinary Catholic practices usual in Catholic schools, they enforce the use of books highly objectionable, and they preclude the employment of works in every respect deserving of confidence. A most admirable list of books, published by the Christian Brothers of Ireland, are permitted by the Privy Council to be used in the Catholic schools in England, while their use is prohibited by the Board in Ireland. The denationalizing tendency of the system has never been noticed in this House. Next to its secular and latitudinarian spirit, I regard this as one of its most disgraceful characteristics. I beg to call the attention of Irish Members to it. The school books published by the Board, and used as reading books by the children, are not written by Irishmen. These reading books are compiled by a Scotch Presbyterian clergyman, and they carefully avoid any reference to Ireland. The effect of the mixed system in this respect has been well described by one of the late chief inspectors, a gentleman of great zeal and ability, Mr. Kavanagh, who says, and says very truly, "It has banished history, it has banned Catholic literature, it has enfeebled or excluded morals, it has emasculated poetry, and it declares patriotism and religion contraband." Yet this system is called National. It should, in truth, be called Anti-national. Now, I would wish to have it distinctly understood that the whole of this anomalous legislation has failed, and, as it seems to me, inevitably failed. I frankly confess that I attribute this double failure of the mixed system in the colleges and in the schools to the great fact that it was an attempt to overrule the decision of the Catholic Church. I am one of those who recognize the right of the Church to teach. It is a sacred right which She received from the Greatest of all Lawgivers, and which She never will relinquish. Those who know anything about the history or spirit of my countrymen will understand me when I say, that the failure in Ireland of any educational system which the Church has opposed is very easy to explain. You may vote your quarter of a million to prop up a tottering system; but believe me you will do so in vain; the failure of the past, however great and unequivocal, will seem almost a success compared with the failure that awaits you in the future. Whilst, for reasons already stated, I avoid entering into the details o a new system, I am most anxious to impress upon the House the utter uselessness of any compromises whatever. Mixe education has fallen to pieces, and what remains of it must be swept away. No remodelling, no restoration, no return t the original stringency of Lord Stanley's scheme will suffice. Nothing short of the admirable system which exists in England, in Scotland, and in the Colonies, should be proposed by the Chief Secretary, or sanctioned by Parliament. I hope the House will not be misled by the fact that such views as these have never before been expressed by an Irish Catholic Member. Many reasons hitherto conspired to prevent Catholic representatives from giving expression to these opinions, but it should not on that account be assumed that they are new or that they have been hastily formed. They are in fact the steady growth of an irresistible public feeling. Without presuming to use the language of warning, I take the liberty of recommending Her Majesty's Government to be very cautious about keeping up anomalous legislation for Ireland. When the Irish people see that you give them one system and your own people another system, and when they discover the great difference between the two; when they find that their Bishops approve of what you keep here, and disapprove of what you send across the Channel, they will naturally inquire whether your administration is conducted on equitable principles. For centuries the Parliament and Executive of England was charged—and I think very fairly charged—with misgoverning Ireland. The main element in that charge was the undoubted partiality exhibited by giving bad laws to Ireland and good laws to England. It has become the fashion to assert that this charge can no longer be made, and that the two countries are now governed with equal and impartial justice. I venture to deny that assertion; and, as long as this anomalous legislation is maintained, I shall continue to deny it. I trust my object in calling attention to this subject will not be misunderstood. I have done so because it is one in which Catholic interests are deeply concerned. I have called attention to it also because it is one on which the national spirit and the social happiness of the Irish people greatly depend.

Mr. WHITESIDE said, he wished to offer a few observations to the House on the subject under discussion on behalf of the Church to which he belonged, and of the University which he had the honour to represent. Adverting for a moment to the remarks which had fallen from the hon. Gentleman who had just spoken with reference to the Queen's Colleges in Ireland, he would beg to say that the College of Belfast, with which he was more particularly acquainted, was unquestionably a success, not merely so far as the learning of its professors was concerned, but also with respect to the great judgment with which it was conducted, and the number of students which it contained. There was a Presbyterian College near it, the conductors of which allowed their students to avail themselves of the advantage which the Queen's College afforded for secular education. He would not further enter into the merits of the Queen's Colleges in Ireland, for the object which he had especially in view in addressing the House on the present occasion was to invite the attention of the right hon. Gentleman the Chief Secretary for Ireland to the position in which the question of national education in that country stood. In doing so he should above all things, advise that right hon. Gentleman not to pin his faith to blue-books, for if he hoped to obtain complete information from that source he would find that he laboured under a great mistake. For his own part, he was of opinion that the Earl of Derby had never applied his intellect to a nobler purpose than when he had endeavoured to establish a good system of national education in Ireland, but, unhappily, the principles upon which that noble Lord was desirous that his views should be carried out had not been fully acted upon. One of the first objects which the Earl of Derby had sought to attain was the establishment of a certain amount of religious and moral education in Ireland. But how had the wishes of the noble Lord in that respect been complied with. Three books of a most useful character—one the *Evidences of Christianity*, which had been written by the Archbishop of Dublin, Dr. Whately; another, a book of hymns, which had been quoted in that House by Sir John Young as a proof of the amount of Scriptural knowledge which was administered in the schools in Ireland, and a third, also, a book containing Scriptural lessons, and which had been recommended by the Board, had been introduced, but after being in use for some time they were expelled from those schools. Therefore the first fact they had to look at was, that in these schools under the National Board there was no teaching of that religious character originally desired by the Earl of Derby. The Archbishop of Dublin visited one of the model schools, and found that the books, on the faith of the use of which he and many of the Protestant clergy joined the Board, were not in use in those schools; and accordingly, not obtaining any satisfaction, and considering that a breach of trust with the public had been committed, he left the Board, as also did the Lord Justice of Appeal and Baron Green. It ended in a Board being now in existence which, though unquestionably composed of highly respectable individuals, had not much weight or influence over the minds of any of the great classes of the Irish people. As to the question of joint management, what took place? The idea of the Earl of Derby was, that whenever a grant was applied for, it should be applied for by the clergy of a parish of opposite persuasions. Of 5,000 schools, something less than fifty—perhaps forty-six would be nearer the number—were under joint management, and those forty-six gave greater trouble to the Board than the whole remaining number. The joint management had, in fact, signally failed. As to the schools being conducted on one common principle, the arrangement was that the schools and the property connected with them were to be vested in the Board, so that its members might conduct the education as they thought fit. But out of 5,000 schools there were only 1,600 vested in the Board, and 3,159 were under the exclusive management of the Roman Catholic clergy. The next question which had arisen was, what was to be done with the Presbyterians? Because to suppose that they would consent to a system of education which excluded the Scriptures was useless. Well the Presbyterians were accommodated in this way. Their 700 schools were vested not in the Board, but in the Synod of Ulster, and so they read the Scriptures in the schools as they pleased and when they pleased, and in that they did what was right. It was found necessary to conciliate those sturdy Presbyterians, and the result was that some respect had been paid to their conscientious convictions. But as to the Church of England and the Wesleyan Methodists, what was the case? The Church of England had charge of what were called the parish schools. In those parish schools from time immemorial the labours of each day had been commenced by some reference to the existence of a God; but as by the rules of the Board every line of Scripture was excluded, those schools, in number about 2,000, were all excluded from the receipt of any aid. What was the case as to the Wesleyan Methodists? In this country they were all fairly provided for in the matter of education; but when a Wesleyan Methodist crossed the water and set his foot in Ireland, his *status* was altogether changed in this respect. In that country no Wesleyan Methodist, however peaceable and loyal, could ever obtain for the schools of his persuasion a book, or school requisite, or any assistance whatever under the national system, though he paid heavy taxes in aid of it. John Wesley, who was a good, wise, and pious man, made it a condition of the education to be given among the body of which he was the founder, that it was to be a Scriptural education, and that being in direct conflict with the national system his disciples were excluded. That was the state of affairs in Ireland at the present moment, but a very active movement had been set on foot by the party whose claims the hon. Gentleman was advocating against the whole system of education as it stood, and he (Mr. Whiteside) believed that at a meeting presided over by the noble Lord the Member for Marylebone (Lord Fermoy), the noble Lord, surrounded by eminent scholars, was nearly swept from his place as chairman by a body opposed to his plans, who, he (Mr. Whiteside) believed, carried a resolution embodying their own views. The Irish Solicitor General (Mr. Serjeant Deasy) had also taken an active part, he believed, against the system of mixed education in Ireland. For his (Mr. Whiteside's) part, he ventured to state a simple truth. The attempt was originally made to convert the clergy of the Church of England to prefer those new schools. The parties to that proceeding had tried it for twenty years and had failed; and he would tell them that if they lived for 220 years and tried the same scheme they would fail. They—men of expediency—forgot that there were men of principle in the world. They said, "Lay aside all allusions to Christianity in the schools; let the children meet in the schools and receive secular education; catch the pupils when they leave the school as best you can, and teach them separately your religious principles." Excellent advice if practicable, but the system had failed, and would continue to fail, for this plain reason—that the Established Church, the Wesleyans, and the Presbyterians all held that some religious teaching was a necessary and essential part of education. When a man walked into the old parish Church of England schools he saw written on the walls a number of most striking and appropriate texts of Scripture, such as "Fear God and honour the King," "Believe in the Lord Jesus Christ and thou shalt be saved," "Thou shalt not steal," and many more of like kind; but in schools conducted on the mixed system these texts had to be taken down as against the rules, and instead of passages of Scripture, there were affixed to the walls pictures of vertebrated and unvertebrated animals, and things of that sort. That would give the House a perfect idea of the difference between the two systems. The truth was that at least five-sixths of the parish clergy—certainly nine-tenths of the curates—would hold fast by this principle—namely, that no education would meet with their support if they were required to lay aside the Scriptures. They believed that; and to suppose that by making here and there one of them a Bishop or a Dean they could get them to change their opinions was ridiculous. But still, in some things the national system had not failed. They had produced some excellent school books; they had set aside schools which were nurseries of disloyalty and ignorance; they had got a system of training and inspection; but they had no more a united system than if they had endeavoured to unite Mahomedans and Christians in the same scheme of education. Let them look at the returns of the Roman Catholics in Munster—of the Roman Catholics in Connaught. In Ulster the state of things was different, for there Protestants were in the majority. For his part, he (Mr. Whiteside) always thought it was a calumny upon Roman Catholics to say that reading the Scriptures in the schools would convert them. He had subscribed to a school for many years where the Scriptures were read, and where Roman Catholics attended, and he had inquired, but could not find that any individual had changed his religion on this account. And the most singular circumstance was that many Roman Catholic parents sent their children, possibly out of convenience, to the Church school where the Scriptures were read, rather than to the national school. He advised the Government to strengthen their Board if they could, and make it acceptable to the people, which at present it was not. Why, then, were Episcopalians, Presbyterians and Wesleyan Methodists taxed to support such a system? Every hon. Member of that House returned by the Presbyterian body must desire to see Parliament come to some rational settlement of this question. The secular schools were by no means so successful as was generally thought. The Census Commissioners had brought out the fact that in several counties of Ireland ignorance prevailed just in proportion to the number of national schools that were established. An hon. Gentleman opposite shook his head; but it might, perhaps, be remembered that on the Motion of the right hon. Member for the University of Cambridge on this subject, Mr. G. A. Hamilton quoted the testimony of the Census Commissioners, cold unimpassioned men, on this subject, to prove that there was an increase of ignorance between the ages of 15 and 21 in various counties in which national schools were established. And how would they cure that? By having opposition schools —schools that would excite emulation, stimulate industry, and improve the system of education. He had no wish to disturb a single school that existed now, for he admitted that the supporters of the present system had a full right to their share of education; but he disbelieved in the ability of the masters as a body. When he had occasion, as Attorney General, to go down to the south of Ireland to prosecute for treason against the Crown, the first person he had to prosecute was a national schoolmaster. That man was convicted and sentenced to imprisonment. This man was proved to have taught the youth in the school, and to have administered to the youth of the country an oath which would not have been unsuitable in a Jacobin club at the time of the French Revolution. He (Mr. Whiteside) asked a gentleman in Kerry whether this was a common state of things, and was answered "There are a score of them as bad." This instructor of youth did not stand alone, for the schoolmaster of the workhouse was equally guilty, and it was a significant fact that when one who had been a national schoolmaster hesitated about taking the unlawful oath he was appealed to in language like this, "By our old acquaintance as national schoolmasters together, will you not join us?" These things should be inquired into, and he was not surprised that the Roman Catholic clergy should express disfavour in reference to some of the persons employed as masters. The Christian Brothers were reported to have the best schools in Ireland for peasant children, but they gave religious instruction, and, therefore, were excluded from Parliamentary assistance under the present system. He believed the Board would scarcely be able to hold their place in the country as matters stood, but why should they not extend to the Church schools some of the benefits which they gave to their own? Why not supply them with books and school requisites, proficiency rewards, and training for their masters? Earl Granville proposed nearly as much in the House of Lords, and the Earl of Derby proposed something to the same effect. If this was done—if they could induce those who were the patrons of these 2,000 Church schools to join the Board, by simply doing them an act of justice, then they would make the national system that which it had never hitherto been. In that way they might obtain a national if they could not have a united system of education. But, at all events, it was utterly vain to expect to control the religious belief of men. As they could not control the Roman Catholics, so they could never control the clergy of the Established Church. They believed in the truth of the

Holy Scriptures, and would they be parties to any system which disallowed their use in education? To show the stringency with which the rule for the exclusion of the Scriptures was enforced, he would repeat a ludicrous anecdote mentioned by the Bishop of Ossory in one of his charges. A boy in one of the national schools had stolen a book, and the curate of the parish went to the school to admonish him before his fellow scholars. In doing so he quoted the command, "Thou shalt not steal," when he was stopped by the schoolmaster, who said it was contrary to the rules to refer to Scripture. The schoolmaster was no doubt right. To such things those with whom he was connected objected; but they did not therefore desire to overthrow a system which had been in some respects beneficial. What he asked was that the Government should consider their claim fairly and dispassionately. If the Government gave to the Church Education Society and to the Wesleyans and others those school requisites and other advantages to which he had referred they might establish a great, a permanent, and a national system of education, which would be acceptable to all classes in Ireland. And if it so happened that the Christian Brothers obtained any portion of the same advantages he should not complain. Of this he was certain that the present system could not continue; it had been tried fairly and fully, and his recommendation to the Government was to look into the matter carefully as one of the most interesting questions of the day. Those with whom he was connected would give them every assistance in extending that which had done so much good, so as to include Church, Protestants, Wesleyans and Presbyterians, without, however, doing anything to deprive Parliament of its just jurisdiction over the public money.

MR. BUXTON said, that having brought forward this question last year he would be glad to make a few remarks, for he felt convinced in common with many who had formerly been opposed to such a course that the time had come when it would be well for the Government to modify the rules of the Irish Board, so far as that no school should be excluded simply because the Bible was taught in it. He could not assent to the proposition, however, that the national system had proved a failure. On the contrary it had been a splendid success, it had done incalculable good in Ireland. But there could be no doubt that many of the schools were in bad hands, for he was aware, from personal inspection, that many of the masters were wretchedly poor creatures, and that the schools were in consequence very ill managed. On the general question, however, he believed no person would dispute that the system had been productive of very great benefit. As to the complaint that the books had not been written by Irishmen, he could only say so much the worse for them, for a better set of works for the purpose for which they were intended he had never seen. But the more advantageous the system was shown to be, and the more one admired it, the more one was led to regret that these advantages should not be extended to all the peasant children of Ireland. There was no use in blaming the clergy for not placing themselves in connection with the Board; they had acted on their conscientious objections for thirty years, and they would continue to do so, and it was too late to look on it as a question regarding the clergy, or as a Protestant question. The true way to look on it was a question touching the interests of the peasant children of Ireland. The question was whether some 100,000 of them in the clerical schools should be very much worse taught than they would be if those schools had the pecuniary assistance, and the trained masters, and the apparatus and books, and, above all, the inspection of the National Board. At present about 100,000 Irish peasant children were excluded from those great educational advantages, simply because their instructors deemed it their duty to read the Bible to them. On that account this system, professing to be a national one, repudiated all those children from participating in the advantages it offered. That scruple on the part of the patrons of the Scriptural schools might be a sensible, or it might be a silly one. He did not ask the House to endorse it. He merely mentioned the fact, that such a vast multitude of peasant children were wholly passed by and neglected by the national system of education merely because their instructors thought it right to read the Bible in the school, whereas the Board would not keep any school where specific religious instruction was given as part of the schooling. The sole question then was this—since that regulation cuts off so great a body of children from a first-rate education, was it of essential value? Was it worth keeping up? They all knew why it had been laid down. The idea of those who founded the national system was that by forbidding any specific religious teaching during school hours, they would induce Roman Catholics and Protestants to send their children to the same school, and that this would blend them together in after life. That has a noble object to aim at. If the system had received that object he, for one, should pray the House not to touch the regulation which had produced so excellent an effect. But the plain fact was that no such effect was produced. There was no such thing as mixed education in the national schools. The Protestant parents would not send their children to the national schools where the patron and master were Roman Catholics. The Roman Catholics would not send theirs to schools where the patron and master were Protestants. The regulation was a total failure. Why, then, should we keep it up? It was utterly useless for any good result, but it was very effective for the bad result of cutting off a great multitude of children from important educational advantages. It was impotent for good; it was potent for evil. If that regulation were modified or suspended, the national schools would go on exactly as they did now. It would not affect them at all. The only consequence would be, that the clerical schools would connect themselves with the Board, and the children would derive great benefit in a much improved education. Experience, in fact, had clearly shown that the principle adopted in England was the sound and true principle, namely, that the Government should help all those who were endeavouring to educate their poorer neighbours, whatever their religious views or scruples might be, making no stipulation except that a good secular education should be given. That principle seemed to be a perfectly sound one, but it altogether condemned the regulation of which he had been speaking. That regulation introduced an interference, a meddling, improper interference, with the religious teaching in the school. To say to those who were making great sacrifices in order to educate the poor around them, "We will not help you unless you will pledge yourself not to teach this, that, and the other doctrine," was, in reality a piece of intolerance. It was, in reality, an undue interference by the State with individual freedom. It would be far more just and far more wise for the State to say, "You are striving to give your poor neighbours a good education. Well, then, we will give you an educational apparatus, a trained teacher and annual inspection, in order that you may educate them more thoroughly, without exacting from you any pledge that will hurt your religious feelings." He could not but hope that the Government would see its way to repealing a regulation which was not at all an essential part of the national system, which was unsound in principle, which excited bitter and chronic discontent among the Protestents of Ireland, which had not accomplished the only good purpose expected from it, of creating a mixed education, and which debarred 100,000 peasant children from sharing in the great benefits conferred by the National Board.

Mr. LONGFIELD said, he thought that the Queen's Colleges had been reasonably successful. At the same time it should be recollected that the collegiate system in Ireland had been overdone. A college had been established in each of the four provinces in Ireland, whereas one college in Belfast, in addition to the University at Dublin, would have served all useful purposes, but still it could not be said with truth that considering the number of the colleges and the area of the country, they had failed. He believed, however, that the system of National education, as a system of mixed education, had been a failure. It had conferred great benefits upon the Roman Catholic population, but there could be no doubt of the fact that it did not possess the confidence of the Protestant community. For some of the Commissioners he entertained the highest respect, but not one of them was a man whose presence at the National Board would suffice of itself to command the confidence of Irish Protestants. The case was different formerly, but the secession of the Archbishop of Dublin had been a great misfortune to the National system of education. He might state by way of illustration, that in the county of Cork there were 470 national schools, of which no fewer than 450 were Roman Catholic—a fact which, while highly creditable to the zeal of the priesthood, showed that the system was of comparatively little value to the Protestants, who could not be expected to send their children to schools of which the patrons and managers were Roman Catholic clergymen. The system, in short, was not a united system at all. He had heard with surprise that ignorance in some parts of Ireland was proportioned to the number of National schools. He admitted that the schools were rude enough in many districts; but in those parts they could not expect anything else, when many of the children went to school more for shelter than instruction. What a school required to keep the interest in it alive was, that it should be visited and inspected by the gentry of the locality; and he would ask why not make the system in theory what it was in practice —a separate system? Were that course adopted, the benefits afforded by the National system of education would be enormously increased.

MR. ADDERLEY said, that it appeared to be admitted by every speaker that this system of National education had broken down as a combined system in Ireland; at all events, it had not realized the original programme; and he therefore would suggest to the Chief Secretary that the best course to adopt would be to recognize the fact that the Irish system was like those of England and Scotland, a denominational one. The proposed system had failed in every stage of its experiment. The introduction of the Bible, then its exclusion, and after that the compromise of Scripture lessons, had all failed; the vesting system had failed, for not one-fourth of the 5,000 schools in Ireland were vested in the Board, and all the rest were distinctly denominational schools. The joint management system had failed, for only forty-eight schools could be said to be conducted upon that principle; and owing to the break up occasioned by the system itself, it had been shown in this debate that now the Central Board itself did not command the respect which alone could give it authority enough to conduct a national system. The question therefore arose whether the system could be patched up. This could not be done either by giving peculiar rights and privileges to one religious sect, or by making the education secular. The Church could not ask for the Bible unless she consented to the Roman Catholics using their books. Nor would the country consent to exclude religion altogether; and he was, therefore, driven to the conclusion that the only course which could be adopted was to recognize the fact that this was a denominational system, that no other could be fully carried out, and to amalgamate and make it one with the English and Scotch systems, with which it practically agreed, and from which it was only needlessly distinguished, and most mischievously placed under a separate administration.

MR. MONSELL said, he could not agree with the hon. and learned Gentleman who had said that in Ireland Collegiate education was overdone. His own belief was that, with the exception of Spain, there was no country in Europe in which a smaller portion of the population received a University education. There was no doubt, however, that the system at present pursued had not been successful. Since 1850, £252,000 had been spent upon the Queen's Colleges, and the number of persons who had graduated during that period was 252. They had therefore cost just £1,000 apiece. The wish of every hon. Member of that House must be that, without religious distinction, the highest intellectual education should be given to the Irish people; and his opinion was, that the best means of accomplishing this would be to assimilate the whole system to that of Trinity College. Let Belfast College occupy, with regard to the Presbyterian Church, and Cork and Galway with regard to the Roman Catholic Church, the same position which Trinity College occupied with regard to the Established Church, none of them excluding students of other denominations who might come there, and you would have ten times the number of students, and produce a tenfold benefit to the country. With regard to the National Board the case was not so simple. The system could hardly be said to be a failure, because there had been established under it schools in which 550,000 children were taught, and which, whatever might be the fault of some of them, were, compared with primary schools in other parts of the world, of a high order. There was no doubt that the system was at present in great danger; but there were two alternatives which might be adopted to avoid it. They might either upset the Irish system and adopt that of England in its place, or they might recur to its original principle of united secular and separate religious education. That principle had been so completely departed from, that there were now in Ulster 30,000 or 40,000 Roman Catholic children who were in Protestant schools, taught the Protestant Bible by Protestant teachers. With regard to the 100 model schools which had been established on the principle of excluding religious teaching, the case of those schools must be reconsidered, and they must be put on some other footing, or else there would be continual objections, and the system would not receive that hearty support which was necessary if they wished to confer real benefits upon the country. To leave the system as it stood at present was impossible. Roman Catholics and Protestants would unite against it equally unless it were changed. There were two alternatives, and only two. Either the system must be made what it was originally, in which case he thought the greater number of Roman Catholics would be satisfied; or, if that were impossible, then he said with regret—although he had been a strenuous supporter of the National system—it would be necessary to change it altogether. It was not desirable now to enter into the subject at any great length, but he hoped his right hon. Friend (Mr. Cardwell) would take the whole question into his serious consideration.

MR. LEFROY, as Member for the University of Dublin, felt bound to say a few words on the subject before them. For the first time they had heard the subject of separate education approached in a becoming temper by the hon. Member for the King's County, and heard it temperately discussed by the House. He (Mr. Lefroy) had often attempted to prove that the National system of education in Ireland was a failure. That was now admitted. When the National Board was proposed he certainly refrained from offering any opposition to it, because he believed that upon certain classes in Ireland it conferred great advantages. The books used by the Board were certainly of the most valuable and excellent character, and such as he should desire to see used by the Church Education Society. He did not attribute the failure of the system to the observance of the principle of a united education; because in their University of Dublin they had a united education, which progressed most favourably. They had recently added in that University fourteen scholarships of £100 a year each, which were equally open to Roman Catholics as to Protestants. He was of opinion that a separate system of instruction would have the effect of separating those classes in after years. He could not understand why the Bible should be the only book to be especially excluded. He had no wish to deprive the Roman Catholics of any of the advantages of those schools; at the same time he should deprecate the principle of making the sacred Scriptures a sealed book to the whole school. The greatest authorities upon the subject of education were unanimous as to the character of the education that ought to be given. The noble Lord the Member for London, Lord Brougham, and several other eminent men, had emphatically declared that education without religion was a curse to the country. Would it not, he asked, be fair and wise to give to about 2,000 of the ministers of the Gospel the advantages of this grant without prejudice to others or the sacrifice of any one principle? He would express a hope that the Chief Secretary would turn his attention to this question, and that another year would not pass without some attempt to remedy the defects of the present system of education in Ireland.

LORD NAAS said, he augured great good for the cause of education in Ireland from the manner in which the subject under discussion had been debated that evening. The absence of that angry tone and party feeling which generally marked their discussions on this subject showed that all parties were willing to approach the question in a dispassionate spirit. He had always thought that the National system had conferred inestimable benefit on the people of Ireland, and he thought that it ought to be touched, if it was to be touched at all, with the greatest care; but it was impossible not to see that the principle upon which it had been originally founded had been in a great degree departed from, and that the system had, for all practical purposes, ceased to be a united one. He knew that in Ireland very influential, very able, and very intelligent men adhered to the principle of a united education; and he himself was most anxious to see such a system carried out. He never could understand why children of different religious denominations could not meet together for the purpose of receiving their ordinary education; but the experience of twenty-five years had proved otherwise. It had proved that the feeling of the people in Ireland was against such a system. There was no use in denying that fact; and the sooner the attention of Government was turned to it the better. The great majority of the clergy of the Church of England maintained that they could not sanction any principle of education under which the Bible was not read by every child coming into the school; they held that Scriptural instruction ought to be received by every child attending the school. On the other hand, it had been advanced by the Roman Catholic clergy, and laid down in a most authoritative way, that instruction could not be given to Roman Catholic children from any but Roman Catholic lips. That doctrine had been laid down openly, and had received the sanction of the highest authorities in the Roman Catholic Church. The House would see how completely irreconcilable those two positions were, and how they were both opposed to the principle of a united system. Under these circumstances, he thought that the duty of the Government and of Parliament was to consider how, with the materials which they had in their hands, they could make the present system a truly National one—make it general for all. That matter was very fully considered by the late Government; and had they remained in office they would have brought before Parliament a scheme, the object of which would be to very much enlarge the usefulness of the system of National education in Ireland. It would be impossible for him to go into the details of that scheme on the present occasion; but it was one submitted by the late Lord Lieutenant to the Government, and which was under the consideration of the Cabinet when the Earl of Derby went out of office. It resembled very much in its main features a scheme proposed to a Committee of the House of Lords by Earl Granville, and the late Government had every reason to expect that it would have been received with favour by the majority of those who represented the opinion of the Clergy of the Established Church in Ireland. He believed that if it was proposed it would lay the basis of a future system that would be productive of vast advantages to the people. He could not agree with his right hon. Friend the Member for North Staffordshire (Mr. Adderley), as to the expediency of extending the English system to Ireland. There was at present in Ireland a large and extensive organization, and a system which to a great extent had gained the feelings and affections of the Irish people. It would be dangerous to import any new system which might give rise to disputes, the effect of which might be to upset all attempts at establishing a permanent scheme of National education. His conviction was that any change which it might be thought desirable to make in the existing system ought to be made gradually. From what he had heard last night he thought there was no great number of those who represented the Irish people who would not be found willing to come to a calm consideration of the question. There had never been a greater demand amongst the Irish people for the benefits of a good education than that which existed at present. They had tested the benefits of education through the medium of the National schools and those of the Church Education Society, and he could not bring himself to believe that party spirit and party differences would be found to defeat any attempt that might be sincerely made to extend the benefits of education to the entire of the Irish people. He felt confident that this question would occupy the attention of the Government, for they had come to a point at which something must be done. If that something was done effectually great positive benefit would thereby be conferred on the people, and there would be a removal of matters that had for five-and-twenty years been more or less a cause of difference amongst large sections of the Irish nation.

CAPTAIN ESMONDE said, that it appeared to be admitted by all parties that the present system of national education in Ireland had not worked well in many respects, and the great majority on either side of the House were in favour of its revision. But whilst they all agreed that it had many faults he did not think it fair to deny that it had also produced great advantages to the country. The right hon. Gentleman the Member for the University of Dublin had stated in his speech that, during the period which had elapsed between 1841 and 1851, a decrease had taken place in the proportion of educated persons in Ireland, and he laid this at the door of the system of national education. Now he (Captain Esmonde) had expressed his dissent from this proposition in the only way in which at that period of the debate it was possible for him to do, and the right hon. Gentleman had said to him, "the hon. Gentleman may shake his head. We shall see if there is anything in it." [*A laugh.*] He was sure the House would listen to a man who was pleading for his head, and he would therefore trespass on their time by reading the following extract from the Report of the Census Commissioners for 1851:—

> "In concluding our report on the subject of ages and education, we beg to take the opportunity of congratulating your Excellency on the progress which the returns show has been made in the education of the people during the eventful period since 1841; and although it is evident that much remains to be done to overcome the ignorance still prevailing, especially in some of the less improved parts of the country, yet it is encouraging to find that even in remote districts ignorance has diminished during a period which, for affliction and calamity, is unparalleled in the annals of Ireland, and which resulted in diminish-

ing the population during the course of little more than six years to such an extent that in 1851 it was actually less than 1821—thirty years previously."

MR. CARDWELL said, he had listened with the greatest attention to this discussion, and if he had not risen till the close of it it was that he wished to hear all that hon. Gentlemen from Ireland had to say on the subject. While he stated as plainly as he could his own views, he should also state them as briefly as possible, leaving more lengthened observations until time and attention had made him more familiar with the subject. He certainly did feel a sentiment of surprise at hearing the hon. Gentleman who introduced the discussion say that the Queen's Colleges had proved a failure; because, when they considered the circumstances under which these colleges were founded, the unparalleled difficulties with which Ireland had had to contend the very year after the Act for founding them passed; when they remembered that these colleges were situated, not in the metropolis of Ireland, but were intended for the education of the provincial towns; that they had affiliated with them no schools for preparation of the pupils; and that they were without any of those endowments or that connection with the Church which the older institutions possessed — he thought they would be of opinion that the result which they had attained to might not, indeed, be an example of complete success, but was an encouragement and a reason for hope. That was the opinion of the Commissioners in their Report. He could not understand some of the statistics of the hon. Gentleman as he had made use of them, but the authentic statistics before him gave them reason for anything but discouragement and despair. The attendance of pupils last year amounted in the three colleges to 493, the largest number in any one year. The attendance of such a number to obtain an education such as was given them in these colleges was an immense advantage to a country situated as Ireland was. Moreover, it appeared that the pupils had been drawn pretty equally from the various religious bodies into which the population was divided. It appeared that of the number of pupils who had matriculated, there were, Roman Catholics, 445; of the Established Church, 426; and of the Presbyterian Church, 343. That surely gave great cause for encouragement, for the cause not only of advanced, but of mixed education in Ireland. The hon. Gentleman said that it ought to be borne in mind how great was the number of scholarships, and argued that those students ought to be excluded who did not contribute to their own support. It was right to explain what the scholarships were. They were not of the permanent character which was generally involved in the term, but were like exhibitions in the English Universities, affording means of assistance to their holders to bear the expenses of their college life. The numbers quoted by the hon. Gentleman did not give an accurate notion of the number of scholarships, which were not held for the whole time the pupils were in college, but were competed for every year. They were forty-eight in number for the three colleges in the entering year, and they must be compared with the whole number of pupils for each year, which last year amounted to between 190 and 200; so that it would be fairer to say that there were four pupils to one exhibition than one scholarship to each pupil. In his entering year it was a great object with a pupil to obtain an exhibition to assist in his maintenance at college, and for the retention of which he must be examined in each succeeding year, or consent to lose it. The scholarships were small in point of value, and only aided in the maintenance of the pupil for a single year of his college life. But what had been the result of the education afforded? He believed that one cause of the diminution of the number of pupils in years subsequent to that of entering, that so great were the advantages derived from the education there, and such the class of life of those who had availed themselves of it, that they were desirous at the earliest period of passing out into the world to obtain that livelihood for themselves, which the education they had received enabled them to do. The Indian competition afforded a good test of the education received. He had before him a list of a large competition for the Indian civil services, and of seventy-three successful candidates returned the Queen's Colleges claimed six, being more than those returned for the University of London or for all Scotland. Considering the great endowments of Oxford and Cambridge, the number was such as to bear no mean comparison with those Universities. Was not this creditable to the Irish people, and did it show that these colleges were a failure? And was it not rather a subject of congratulation and hope that at so early a period of their institution so gratifying a result had been attained? The hon. Gentleman said that every graduate of these colleges cost the country £1,500, though that sum had been reduced by the right hon. Gentleman the Member for Limerick to £1,000. But what had the number of graduates to do with the number of pupils who received education in the colleges? If to obtain a degree was the object for which a pupil entered he could account for the comparison, but if they entered only for purposes of education he denied its fairness; and if few only attained degrees, it still showed that the value of the education was so great that many persons availed themselves of it without that object. A comparison with the number of degrees granted by the University of Edinburgh, which he did not think would be called a failure, would show that, looking to the number of pupils as compared with the number of degrees conferred, the comparison was in favour of the Queen's Colleges. He hoped that in future years these colleges would more largely extend the advantages of academical education, yet considering that there had graduated in them in the first seven years of their existence as many persons as had graduated in the University of London during the same time, it would not be just to assert that this system of education could properly be designated a failure. He would next turn to the other and larger question which had been under discussion—the national system of education in Ireland. Had that been a failure? His right hon. Friend the Member for Staffordshire said that every one admitted it had been a failure. To establish the assertion that a system had been a failure you must compare it with something. Reference had been made to the large sum which the Committee was in a few minutes about to vote for education in England. Comparing the system of education in England with that of Ireland, and considering the physical and moral difficulties which the latter had to encounter, it could not be said that the latter had been a failure? If they compared the present system of education in Ireland before the Earl of Derby wrote his celebrated letter, or with the system which prevailed before 1830, when Parliament refused a vote of money for its support on the ground that it was a failure, they would find that instead of being scarcely any schools or scholars at all there were at present 500 or 600 schools, and 500,000 or 600,000 pupils? They were told that the number of Protestants in the schools was insignificant, and that nothing that could be done would cause them to increase. But they had at least witnessed one thing with satisfaction. It was for the benefit of the Roman Catholic population that this bounty of Parliament was chiefly sought, and when they referred to the number of schools which existed in the county of Cork and saw how large a number of the pupils were Roman Catholics, did they think that the Earl of Derby in 1831, when the letter was written, ever expected that in thirty years there would have been between 400 and 500 national schools in the county of Cork. Such a result was far beyond anything he could have anticipated as the result of the system. The number of Protestants in the schools did not diminish, but on the contrary had largely increased, the number having risen since 1853 from 65,000 to 88,000. Had this system of education then produced no practical results? Was not the temper of the very discussion in which he was taking a part a most striking evidence of the beneficial results which had flowed from uniting the people of Ireland under one system of education provided by the State. He had before him a statement of a large number of facts which would show that the system, as a system of mixed education, had not failed so entirely as many hon. Gentlemen in the course of that discussion had asserted. But he did not hold that the only principle of national education should be that of mixed education, but he held that the main principle was that which had been laid down by the Commission on this subject of 1812, composed of some of the most eminent men in Ireland, including the Primate and Bishops of the Established Church. That body knowing the deplorable condition of the country, owing to the want of a system of education, asserted "that no plan of education, however wise in other respects, could be carried into execution unless it was understood that its first principle was, that no attempt should be made to disturb or interfere with the religious tenets of any sect." That was the principle on which it was founded, and in that sense the system of national education could not be said to be a failure. It might not be considered as absolutely successful as a system of mixed education. He did not say that it was. But they found that it was spread over the country, and that there was no great discrepancy as regarded the number of pupils in the four provinces. Where the proportion of intermixture in the population was large the mixed schools were many, and where the mixed schools were few it was in places where the population was composed of persons for the most part of one denomination or belief. There was a remarkable proportion among the Roman Catholic pupils, and those of the Established Church and the Presbyterian Church. Then, if they looked at the result of the model schools—what had been the result of the system practically and numerically? The right hon. Gentleman the Member for the University of Dublin said that they had excellent books, loyal schools, admirable instruction, and fair inspection. If that was the case with between 500 and 600 schools was it possible to say that the system was a failure? It might be possible to raise it in the estimation of that House, and in the affection of the Irish people, but looking at it as it stood, it was impossible to say that it was a failure. Then he was told that religious education was excluded, but into that question he did not propose to enter; for having so recently acceded to his present office, he thought it would be better if he carefully examined into that question on the spot. Therefore he would pass lightly over that, which after all was the most critical part of the question. But he might say that if you had an excellent system of secular education, you greatly facilitated the progress in Ireland of sound religious teaching. It was impossible to have excellent books, loyal schools, admirable instruction, and fair inspection without preparing the ground for sowing that seed, the fruit of which he must acknowledge was alone of real importance. He believed that different shades of feeling would day by day and year by year come over the opinions of those who had to deal with this subject. He held in his hand a short address to his parishioners by one who was once a fellow of Trinity College, Dublin. This gentleman stated that he was once an opponent of the National system, but he was not so now; that he was going to have under his care five schools, of which two should be under the system of the Church Education Society, and three under the National school system, but he would maintain in them the principles he had always held, which were quite compatible with an adherence to the system of the National Board. In his opinion, then, the practical result of the system had been invaluable to Ireland. He was talking last night to one of the most distinguished of those persons who had taken a part in the system, who knew Ireland well, and he went over with him all the causes which in the last three or four years had produced so much improvement in Ireland both as respected social change and national prosperity. It was not possible to eliminate from other causes the education which, by the wisdom of Parliament, had spread over Ireland; but when he appealed to this gentleman he said that the education afforded to the people of Ireland demanded the highest place amongst those causes. If that was the case let it not be said that the system was a failure. He felt bound to acknowledge the kind manner in which the noble Lord (Lord Naas) and the right hon. Gentleman (Mr. Whiteside) had appealed to him. They both stated that the late Government had in contemplation a scheme which would cause the system of national education to approach nearer to the Protestant view of the question in Ireland without breaking down the principle on which it was founded, and they appealed to him to give the subject a fair and dispassionate consideration. During the short time which he had as yet been able to spend in Ireland since he had entered on his present office he had made inquiry of the heads of the education department, and endeavoured to obtain some knowledge on the subject. He mentioned this to show that he had every disposition to give the matter a fair consideration. But he felt bound to speak with great caution with regard to any change in a system which had been founded by the Earl of Derby and favoured by the late Lord Lieutenant of Ireland, who said that having gone to Ireland with a strong prejudice against the system, he had come back with a strong feeling in its favour. His noble Friend had called on him to deal with a question of so much delicacy that although it had been considered by the late Government, yet no decision had been arrived at with regard to it by the Cabinet. It would be presumption in him now to say one word which would imply more than a sincere desire to give the fullest, fairest, and completest consideration to any proposal, from whatever quarter it came, which was likely to increase the efficiency of the system of national education in Ireland. But he would not allow himself to convey to the Committee any impression that the Government was indifferent as to the principles that were to govern the system of national education in Ireland. His right hon. Friend the Member for Staffordshire (Mr. Adderley) proposed to abolish the National Board altogether, and place its schools under the Privy Council. His right hon. Friend was far more sanguine than he was, if he saw his way to an identity of system between the two countries. He had, as far as he could, given his attention to a subject interesting to Ireland, and he rejoiced to be able to hold sanguine views of the future results of a system of education which had done much honour to the Earl of Derby as its founder, and which Sir Robert Peel and the Right hon. Baronet the Member for Carlisle had taken a part in promoting. He would endeavour to receive all suggestions made to him in a spirit of candour and conciliation towards all sides, and, as far as he could, increase the efficiency of the National Board while retaining a principle the adherence to which he believed had conferred most important benefits on the country.

Motion *agreed to.*

SUPPLY.

CIVIL SERVICE ESTIMATES.

House in Committee of Supply.

Mr. MASSEY in the Chair.

(1.) £586,920, Public Education.

MR. LOWE said, that the total amount of the Estimate for educational purposes in Great Britain amounted to £836,920. The total amount for the Science and Art Department was £93,394, making together a gross sum of more than £930,000. He would first address himself to the sum required for England. It was instructive and interesting to watch the increase of this Vote. The first expenditure for education, under the minutes of the Privy Council, in 1840, was £10,642 8*d.*, and it had gradually advanced, year by year, until in 1849 the Parliamentary grant was £109,948. In 1852 it amounted to £188,000. In 1853 it rose to £250,000. In 1854 it rose to £326,000. In 1855 it rose to £369,000. In 1856 it rose to £423,000. In 1857 it rose to £559,000. In 1858 it rose to £668,000. It seemed therefore that a steady progress had been established up to the Estimate of last year at something like the rate of £100,000 increase per annum. The Estimate this year appeared larger, but from the £836,000 there should in fairness be deducted £75,765, made up of deficiencies of former years. In the year terminating the 31st of March, 1857, there was a difference between the Estimate and the actual expenditure of £18,503; in 1858, of £12,409; in 1859, of £44,652—which three sums made up the £75,765. The Committee might consider that it reflected some discredit on the Department; but these Estimates differed materially from those in any other department of Government. They were not so properly estimates as conjectures. The Department offered the public money to the whole kingdom for the purposes of education on specified conditions, and any person who complied with the conditions was entitled to receive a certain sum. It was necessarily not in the power of the Department to calculate the amount with minuteness, because the sum did not depend on the Department, but on the will of the public to avail themselves of the Vote. Deducting the £75,000 from the Estimate, the result was an excess this year over last of £97,909, which seemed somewhere about the general rate at which the grant had been increasing. The cause of the increase of the grant required no minute analysis. It arose mainly from the fact that the system spread wider and wider, that a great demand for education was created, and the public were availing themselves of the facilities placed at their disposal by the Government. The items seemed to increase in steady proportions, except the grant for buildings, which, perhaps, owing to the amount of buildings already executed, was only as much as last year. Having made this little financial statement, if he had followed the bent of his own inclination he should have sat down; but he was informed that it was expected of the Gentleman who occupied the place which he had the honour to fill to say something on education, and however unwilling he might be to trouble the Committee, as it was expected of him, he thought it only respectful to say a few words upon the subject. The Committee was aware that a Commission under the presidency of the Duke of Newcastle was sitting to investigate the question of public education in this country. While that Commission was sitting it would be improper of him to trouble the Committee with any general speculations as to what the best form of public education might be. He thought it much wiser and better to wait until they saw what the Commission recommended; but he might be of some little service to the Committee, to the public, and to the Commission, if, availing himself of communications which he had received from the very intelligent gentleman who directed this office, he placed before the Committee the best appreciation he could form of the good and bad points, and of the prospects of the system, so as to enable them to form a judgment how far it was suited to the wants of the country. Every candid and impartial person would find that that system could be shown to possess many and great advantages. In the first place, it was evident that it had arisen entirely from the existing state of things, without disturbing existing feelings, that it had sprung up by availing itself of the machinery already in existence of the great voluntary institutions which occupied the spiritual domain of this kingdom; and that it involved as little centralization as possible, because the plan had uniformly been to assist voluntary efforts, and not to put the Government forward to direct or originate any movement of the kind. It offended no honest prejudices, but left every sect free to teach its religion as it understood it, and merely gave the assistance of the Government in that good work. It had, therefore, done as much good with as little ill feeling as the state of English society could enable any system to do. It had given no ordinary proof of strength by showing that it had been capable of increase. There was no better test of a sound constitution, whether in a man, a tree, or a system, than a capability of growing to a maturity without altering their nature—remaining as in the beginning, and expanding gradually and symmetrically. It was impossible to deny that it had also the merit of a tangible result in the number of schools which it had raised. He thought he might fairly say raised, because, although private contributions to the public grants were in the ratio of three to two, there could be no doubt that the existence of a fund at the disposal of the Government for the assistance of private charity, benevolence, and piety, had called forth an amount of liberality which without that stimulus would not have been evoked. The system, therefore, could not be looked upon merely as an expenditure of Government money, but as a stimulus to liberality which had produced great results. There was another merit which he placed still higher. At the time it was established, popular education was in a most imperfect state; but if the present system were put an end to to-morrow, it would be found that whatever system superseded, it must at least come up to the high standard of popular education it had created to satisfy the notions which had in consequence taken hold of the public mind. It had another merit. It had not only established popular education in this country, but it had created for itself an agency by which that popular education could be carried out. By the machinery of pupil teachers—pupils retained in schools for teaching whom the schoolmasters were remunerated—it had raised a large and intelligent body of instructors, the possession of whom was a valuable benefit to any country wishing to disseminate widely the blessings of civilization. It had stimulated, too, the energies of the private teachers, because it had given to them an augmentation of their *minimum* allowance of £30 a year proportionate to their merits as tested by an examination. An inducement was thus held out to those teachers, without interfering unduly with them, not to remain satisfied with the knowledge which they had acquired, but to devote themselves to the acquisition of still further accomplishments in the line of their profession. It had also by the instruction of pupil teachers, who were not merely adapted to the purposes of teaching, but who went forth into the world, the sons of poor parents, with a great deal of useful information, contributed something to the cause as well of secondary as of primary education. The centralisation of the system had, moreover, conferred great benefits in matters of small consequence, but which were productive of great results. It was the practice of the Privy Council to receive orders from the various schools throughout the country for all the books which they required, and those books were, by an arrangement entered into with the booksellers, obtained at a discount of 40 per cent below the publishing price, and a facility of procuring good books was thus secured. The present system had also, by stimulating the demand for education, and by causing the expenditure of the public money, very much raised the remuneration of teachers, and by that means had accomplished that which all friends of education deemed desirable—namely, the giving them a better *status* in society, and thus making their profession one in which young men might feel a pride in being engaged. The system had, besides, owing to the process of constant inspection, kept up the standard which had once been established in the schools, and had afforded the central office in London the means of seeing through the eyes of its agents that which was taking place in reference to education all over the country, so that the teachers in the different schools became possessed of the feeling that they must not rest on their oars, and that they were responsible to a Power which extended over them a vigilant and watchful care. Those which he had enumerated seemed to him to be the chief advantages which the system had conferred; and no candid mind, whatever might be its opinion of the soundness of the principle on which the system was based, could, he thought, deny that those advantages were of no ordinary character, and that whether the system became permanent, or an experiment which having been tried, had done some good in its day, but which was destined to give place to a more perfect system; there was no reason to repent that such a course had been entered upon as that the results of which he had just described. The total cost of the system had been about £3,700,000, and the Committee would, he thought, taking all things into consideration, be of opinion that that amount had not been ill spent. He should next advert to those defects which he felt bound to state, appeared to him to constitute the drawbacks of the system. Those drawbacks, he thought it but simple justice to his predecessors in office to say, were, in his opinion, to be attributed rather to the defective nature of the principle on which the system was founded than to any mal-administration of its details. The first objection to the system, and it was an obvious one, was that, being founded on the voluntary principle, it must be presupposed, before it could be brought into universal action, that persons in a position to contribute to the formation of schools and willing to undertake their management, would present themselves in every part of the land. The consequence of acting upon such a principle was, that it was found such persons were not forthcoming in those districts which stood most in need of schools, and *vice versâ.* The objection to which he alluded was, however, one which, in his opinion, could not be remedied except by effecting in the system a fundamental alteration, inasmuch as it was the result of that voluntary principle upon which the schools in question were founded. Another evil was the necessity of laying down a number of strict rules and rigidly adhering to them to prevent the Council from being devoured. No doubt several hard cases presented themselves in which no aid could be afforded, but if in reference to them the Council were to adopt an equitable construction of their rules, everything would become an exception, and bulwark after bulwark would be swept away until every demand made by respectable persons must be as a matter of necessity conceded. The next evil of the system to which he should advert was that which might be described by the phrase, which had become in some degree stereotyped, of "denominational" differences. When the system had been founded the trust deeds of the schools had been framed in a loose and imperfect way, but when the Government of the country had announced it to be their intention to assist the voluntary efforts of certain denominations the result had been that those documents had been drawn up with greater care, and that a perfect manual had been produced in which the different sects of Christians had been marked out in a distinct manner. Now, in his opinion, it was much to be regretted that the money of the public should be spent on schools founded on that exclusive principle. The remarks which had a few days before been made by the hon. and learned Member for Belfast with respect to another subject might well be applied to that, and were, he thought, deserving of the consideration of the Committee. They raised the question whether the public was not justified in saying that before a grant was made to the schools of any denomination they should require the introduction of some sort of "conscience clause" into the trust deed, so that children might not be compelled to learn the formularies of the sect to which the school belonged if its parents objected. That was in effect already done in many instances. There were clergymen of the Church of England who were better than their bond, and were willing to open their schools; but others, he was bound to say, seemed to use the formularies of their Church in such a manner as to drive away from the schools those who did not consent to receive such religious instruction as they deemed it right to give. There was also another evil connected with the system, which he wished to point out to the Committee. He alluded to the terms which had from time to time been made by different denominational sects with the Privy Council, and which were to the effect that the Inspectors should belong to the same denomination as the schools which they were appointed to inspect. Now, when it was borne in mind that there were some seven or eight different denominations whose schools were placed under the operation of the system, and that each claimed to have its schools inspected by an inspector holding its own particular tenets, it was obvious that great complexities must arise, as well as a considerably increased amount of labour and expense. Indeed, he believed he was justified in saying that out of the fifty-nine Inspectors who now acted under the Committee of the Privy Council for Education, the services of one-third at least might be dispensed with, were it not for the rule to which he had just adverted. Another evil of the system was that it occasioned great complexity in connection with the accounts, which it was necessary to keep at the central office. There were, for instance, at the present moment 15,000 pupil teachers in the receipt of a different rate of salary in different schools, whose positions and characters it was requisite should be known at the office. Charges which might be made against any of them must be inquired into, and an amount of correspondence was thus occasioned which reached a very considerable extent. There were besides nearly 6,000 schoolmasters and schoolmistresses in the receipt of augmented grants on different scales, which had to be renewed at different periods, and in their case also a large amount of correspondence took place. There were in addition fifty-nine inspectors of different religions, who had to be despatched upon their peregrinations in such order as that each might inspect the schools which belonged to his own denomination without interfering with the duties of his colleagues. There were, moreover, building grants, in reference to which the question whether the money for the purpose could be raised or not, often remained in suspense for a period of eighteen or nineteen months. Then came training schools, into which a certain number of the pupil teachers were admitted as Queen's scholars by competition, where they were maintained, and where exhibitions were conferred upon them. There were also payments made to those schools, which were regulated by the number of scholars who happened to pass an examination at the end of the first year, the result being that at Christmas in each year the Committee of the Privy Council had to conduct the correspondence relating to the examination of not less than 6,000 persons. Another difficulty connected with the system arose out of the practice of granting public money to the managers of schools, who, not being a corporation, were an uncertain and fluctuating body, so that when they disappeared the Committee of Council for Education did not know with whom to deal, or who were the persons who represented particular schools. The defects which he had mentioned struck him as being serious drawbacks upon the present system, and he trusted he had referred to them as well as to the advantages which had resulted from it in a spirit of fairness and with no view to prejudice the minds of hon. Members upon the subject. His object in entering into the details which he had laid before the Committee was that they might be the better enabled to form a judgment as to whether the system possessed in itself the elements of perpetuity, or whether having performed its allotted task it should pave the way for something more perfect. Perhaps he might be allowed to add a few words on the probable ultimate cost of public education. We had at the present moment under instruction in England about 821,000 children, and for their education there was an estimate of £761,000, deducting the amount which represented the deficiency of former years; thus furnishing something like £1 per head for the education of each child, or, to speak more accurately, providing education for thirteen children for a sum of £12. Now there were about 3,000,000 of children who, if the system were fully developed, ought to be brought under the action of public education. It was not, however, likely that that object could be exactly attained, while it was obvious that before it could be secured the number of children requiring instruction would have increased in proportion to the increase in our population. He wished, at all events, to call the attention of the House to the fact that, in order to provide for the education of 3,000,000 children, an army of 200 inspectors, 18,000 schoolmasters and schoolmistresses, and 45,000 pupil teachers would be required, while it would be necessary that there should be a proportionate expense incurred for other purposes. Now, it was an important question whether any Department of the Government should be placed at the head of an organization such as that he had described. It was, no doubt, a difficult matter to calculate with accuracy what the expense of making it would be, inasmuch as that expense would not be increased exactly in proportion to the increase in the number of pupils. There was, for instance, no less a sum than £150,000, which was the present estimate for building fresh schools, and which was an item which would not go on increasing year after year. Still, supposing things to proceed at the present rate, the total expenditure for educational purposes would, in a few years, amount to £2,500,000 per annum. Now that was a very grave consideration which he had not sought at all to conceal from the Committee. While, on the one hand, all must rejoice that so much money was being spent for so good a purpose, yet, on the other hand, they must recollect that the expenditure was increasing, and consequently additional demands were being made upon the Chancellor of the Exchequer. He would only add a few words as to schools of science, in respect to which the result of past years was most gratifying. He found from a return from the institutions of science, including schools of navigation, that the attendance upon scientific lectures was 68,212; and in the art schools, where drawing was taught, the total attendance was 79,473, being an increase of 83 per cent over 1857. Another gratifying feature connected with these drawing schools was, that they were gradually emancipating themselves from Government aid, and one by one were becoming self-supporting. Of course, in schools of that description a higher stratum of society was reached, and therefore more assistance was obtainable in carrying out the objects of education. In primary education the cost was, as he had shown, not quite £1 per head, whereas the pupils in art schools only cost 10*s.* 1¼*d.* per head, including all the expenses of the Department. He thought, therefore, that Department was in a very gratifying position. He thanked the Committee for the attention which it had given to his statement, and in conclusion he could only express a hope that they might be enabled by union, precaution, judgment, liberality, and mutual concession, to arrive eventually at some solution of the question which, while it left inviolate the feelings of professors of different creeds, would really give to the people of England a thoroughly good education in the branches of knowledge befitting their stations in life, and that the giving of that knowledge should not be attended by unreasonable expenditure or the imposition of additional burdens upon the revenue of the country.

Motion made, and Question proposed,—

"That a sum, not exceeding £586,920, be granted to Her Majesty, to complete the sum necessary to defray the charge for Public Education in Great Britain, to the 31st day of March, 1860."

MR. BAINES said, he rose to make a few remarks upon the important and interesting statement that had just been made. In following the right hon. Gentleman who had so ably addressed the Committee, he (Mr. Baines) claimed their indulgence as one who had during the whole of his life entertained a conscientious sense of the importance of the question of education. He had the deepest sense of the value of education, he had advanced it by all the means in his power, and he rejoiced to find the feelings of the House and of society in general very different on this subject to what they were in the days of his youth when discussions used to take place whether it was desirable that education should be universal. He must, however, take leave to express his alarm at the rapid progress which these educational Votes were making. In order to justify his apprehension upon that head, he would remind the Committee of the words used by the present Chancellor of the Exchequer a year or two ago, when the right hon. Gentleman said he viewed with great jealousy the continual increase in the Educational Votes, as the officers of that Department seemed to think that the expenditure of public money was a necessary duty on their part. The Rev. Frederick Temple, the head master of Rugby School, and late Chief Inspector of Schools, also said that probably two-thirds of the money expended in the capitation grants had been applied in aid of schools which would have done quite as well without such assistance, that in short they had not been spent in promoting education, but in relieving others from the burden of so doing. The right hon. Gentleman (Mr. Lowe) had candidly admitted the amazing rapidity with which these grants were increasing, and that in a very few years they might amount to £2,500,000, if not £3,000,000. The late Chancellor of the Exchequer last year led the House to believe that these grants would amount in the course of a few years to £3,000,000. He had, therefore, the highest authority for saying that these grants deserved the most serious consideration of the House. The grants began in 1832 with a sum of £20,000. That amount crept up to £100,000 in 1847. In 1853 the amount reached £260,000; in 1856-7 it was £451,000; while in 1859-60 the amount sought for was no less than £836,000, being an increase of no less than 26 per cent upon the previous year. In dealing with this question, however, he could not avoid calling special attention to the capitation grants. Those grants began in 1854 by a stroke of the pen in Downing-street, and were made applicable to all the small towns and rural districts, without the House being afforded the least explanation or justification. Two years afterwards, by another stroke of the pen, and the introduction of a single line into an estimate, but also without discussion, those grants were extended from the poorer and rural districts of England to the whole country. The consequence was that the largest amount of capitation grants was paid to schools in large towns where the least assistance was required. In the town which he represented—Leeds—there was a factory school belonging to one of the wealthiest and most liberal manufacturing firms in this country (Messrs. Marshall and Co.) which received a large amount of Government aid, which, although not sought for by the generous founders of the school, was still an application of public money for the economy of private funds. Take another case, the school attached to St. George's church in the same town. The congregation of that church was large, wealthy, and pious, able to support the school with profusion, and yet, because the public money was offered to them they took it, and thus, without any ground or necessity, the public funds were devoted to the maintenance of that school. This was a most wanton and unwarrantable waste of the public money. It was expending the money of the country on those who needed it not, while the expenditure was mounting up to a sum that frightened Chancellors of the Exchequer on both sides of the House. A third step was about to be taken this year, to extend the system from England and Wales to Scotland, notwithstanding that the schools in that country were supported by wealthy communities, who had shown a power of raising money for religious purposes that might make us proud of the country in which we lived. The fourth step which the right hon. Gentleman was about to take was to make a capitation grant in behalf of night schools. Pupils who attended fifty times in the whole year, or one night in a week, were to receive a capitation grant, and they were thus about to expend the public money upon young persons, all of whom were in the receipt of wages, who were able to pay for their education in these evening schools, and who would be positively benefited by being called upon to devote a part of their earnings to this purpose. Another evil was that they were causing the public purse to enter into competition with private efforts, and with the exertions of men who depended upon their skill and knowledge for their support. Such a grant would also injure the Mechanics' Institutes, the main object of which, in the view of Dr. Birkbeck, Lord Brougham, and their other founders, was to convey instruction in evening classes. Such a capitation grant would take away the pupils from the Mechanics' Institutes, and would injure the popular character of those institutions. He had the pleasure of meeting the right hon. Gentleman, the Member for Droitwich (Sir J. Pakington), at an assembly of the Yorkshire Union of Mechanics' Institutes. Their Union comprised 138 Mechanics' Institutes, having in the aggregate 25,000 members, and containing 8,000 or 9,000 members in attendance upon evening classes. The Government were about to set up a competition with those popular and voluntary institutions, and to damage associations that were doing the utmost possible good to the country. He wished also to draw attention to the amazing increase in the cost of the schools for the training of teachers. The vote under that head amounted last year to £67,700, and this year it had been increased to £122,000. They were, consequently, now spending the public money at the rate of £26 for every pupil teacher who came to the training colleges for instruction. He should not begrudge that outlay if it were really necessary, but in truth there was no necessity in the matter. These young men, or their friends, used to pay for this instruction, and very properly so, before the system of grants commenced. The British and Foreign School Society had recently in one year received £4,700 for the instruction of teachers from the Government, and only an aggregate of £26 from the teachers themselves. For twenty, thirty, nay forty years before this system of profuse grants began, that school in the Borough-road was devoted to the instruction of teachers. The Sovereign, the Duke of Bedford, Lord Brougham, and many other distinguished personages, used to subscribe to the school, which now dispensed with voluntary contributions for the instruction of teachers, the whole amount being defrayed from the public purse. This was a most unnecessary, and to his mind a profligate waste of the public money. Why was the state to defray the expense of educating the schoolmaster? Let the Committee consider the principle involved. It did not undertake the education of any other class—of lawyers, medical men, authors, editors, or farmers. They singled out the schoolmaster, and although he knew that a distinction might be made in favour of this exception, yet he ventured to express his opinion that there was no safe, solid, and right ground of distinction between the schoolmaster and other classes, and that there was no call upon the country to educate the schoolmaster. The right hon. Gentleman said that the proof of a system being good was in the growth that attended it. Well, were the results as evinced in the growth of the present as compared with the former system such as justified the expenditure? The number of children now attending the schools receiving aid from the State was 821,000. There was no proof that a single one was a new scholar. What then was the probability? What had been the advance before the present system began, and what had it been since? He found in the Census Report of Mr. Horace Mann that from the year 1818 to 1833 the number of day scholars in England and Wales had increased from 674,000 to 1,276,000. Thus, in fifteen years the increase had been eighty-nine per cent. During the whole of this time not one sixpence of the public money had been granted either in aid of building or instruction in England and Wales. The increase from 1833 to 1851 was from 1,276,000 to 2,144,000—an increase of sixty-eight per cent. During nearly the whole of the latter period also, there had been no grants of public money, except in aid of building schools, as the contributions of the State for the annual expenses did not begin until 1847. He would now ask whether there was any evidence to make it probable that the increase was so great since these grants as before? He would state the only facts and figures of which he was aware bearing on the subject. The National School Society, published a report of the number of children under instruction in 1847, and another in 1857. In the former of these volumes they compared the number in 1837 with that in 1847, so that here were two periods of ten years which might be compared. The National Society was well known, and he, a dissenter, admitted most cheerfully the good it had done. He did not approach this subject with the slightest sectarian spirit. [*A laugh.*] He was sure that the hon. Gentleman who laughed did not understand him. He was certain that the insinuation thus conveyed was not true. He was ready to approve all systems of education which did not infringe on the rights of conscience. He had never, in all his life, expressed any jealousy of the growth of Church schools, but when, as a Dissenter, he saw himself excluded from benefits which the Church reaped so largely, he felt justified in complaining of hardship and grievance, but he did not do so because he grudged the benefits which the Church realized. He would state a few facts founded on the reports of the National Society in 1837, 1847, and 1857. The number of their day scholars in 1837 was 558,000, in 1847 the number increased to 955,000, being an increase of sixty-two per cent., and by the report published a week or two ago, the number appeared to be 1,187,000, being an increase of no more than twenty-four per cent. In the former period of ten years the increase was sixty-two per cent.; and during that time they had not received one shilling of the public money for the annual expenses of the schools, but only for school buildings; and in the last period of ten years, during which they had received millions of the public money, the increase was only twenty-four per cent. He would ask hon. Gentlemen to consider whether these facts were not important, and whether the end which they had sincerely and honestly in view was realized by this system. He believed that the increase in the number of day scholars was actually less since the system of grants began than it was before. In a report of the Inspector of Schools in his own district in the county of York, an excellent man, the Rev. Frederick Watkins, it was stated that nearly nine-tenths of the children of the working classes only attended school for about three years; and doubts were expressed whether the educational system had hitherto been suited to the wants and circumstances of the people, whether it had not attempted to reach too high an intellectual point, and whether it was suited for persons who had to obtain their livelihood by daily work. He thought, however, that there was a fallacy in the statement that the children only attended school for three years. They might not remain at the same school for a longer period, but those who knew the habits of the poor were aware that they were continually moving about, and consequently the children went from one school to another. In 1851 Mr. Horace Mann distinctly stated that the number of children then at school gave an average of five years' education to every child in England and Wales. Now, as every child was not in the course of receiving education, the average attendance of those children who went to school must have been higher than five years. He trusted that the Committee would think him justified in complaining that public money should be expended on schools, while a considerable portion of the community were excluded from participating in the grants, on account of the conscientious views they entertained. No doubt some Dissenting sects had no objection to receive the grants. The Wesleyan Methodists, the Presbyterian Church of Scotland, and the Roman Catholics were in this category; but on the other hand, the Independents, the Baptists, who possessed from 5,000 to 6,000 places of worship between them, nearly the whole of the minor sects of Dissenters, and the United Presbyterians of Scotland, refused to do so. There was another important body, who did not conscientiously approve the principle on which the Committee of Council acted, but who took the money, because they thought it was better than nothing; he alluded to those who were in favonr of secular education. He did not belong to that class, for his belief was that religion was a most important element in education, and he was, therefore, decidedly in favour of religious education. But he said that the system now prevailing was one which, in the homely language of a friend of the secular system of education, made everybody pay to teach everybody else's religion. Was it not a very serious hardship to compel people who could not conscientiously receive public money in aid of their religious teaching, and also others who were in favour of secular education alone, to pay for a distinct teaching of religion in which they did not agree? He was friendly to every measure for conferring all civil rights on the Roman Catholics, and on every class of the community, but he could not, with his views, make himself willingly instrumental in teaching that which he solemnly believed to be error. Any other principle must proceed to the length of the universal endowment of all religions, and to that they would come if they followed out the principle on which these schools were endowed. He apologized for occupying the attention of the Committee so long, but he hoped the Committee would believe that the views he had expressed he entertained sincerely, and that he was anxious for the spread of education. He verily believed, however, that they would find it best to leave education, like industry, to a system of perfect freedom. Let the hands of Government be taken off, and religion, literature, education, and everything else, would prosper more surely when left to the self-relying energies of the people, and to a more healthy and honest system. In conclusion he would entreat the right hon. Gentleman to direct his attention to the subject of the capitation grants, and would express a hope that he would next year be prepared to inform the House whether he was disposed to support that system.

MR. ADDERLEY said, that every attempt at national education in this country had invariably turned out to be denominational, and indeed that system was the only one which, according to experience, could be effectually carried out in Great Britain and Ireland. The hon. Gentleman who had last spoken, and to whose opinion on this subject the highest respect was due, seemed inclined to trust entirely to the voluntary system with respect to education. The hon. Gentleman complained of the great expense which was incurred in grants for educational purposes, and to that extent he could not but sympathize with him for he (Mr. Adderley) thought that the gradual increase in the amount of this Vote deserved serious and careful consideration; but when the hon. Gentleman contended that the voluntary principle might be relied upon for the education of the country, he must surely be oblivious of the state of education before the present system was commenced. If in this country there were more men like the hon. Gentleman, who, possessing wealth, were disposed to apply it to the promotion of the important object of educating the poorer classes, there would be the less necessity for appeals to the Treasury in aid of what might be much more satisfactorily accomplished by voluntary action. The hon. Gentleman would see, however, if he looked back for twenty or twenty-five years, that much had been done under the present system, and that the state of things was very different from what it was before the present system commenced. This improvement could only be attributed to the mode in which it had tended to stimulate voluntary exertions, which before, had proved insufficient alone. It appeared that the increase in this Vote amounted to nearly £100,000 a year. A good part of the present increase of estimate had been fairly stated to be a balance of arrears. He thought, with reference to the able argument of the right hon. Gentleman (Mr. Lowe), that it depended almost entirely on the policy upon which the present system was administered whether that particular system could be regarded as permanent or temporary. If the policy of administration was sound, and the increase of expenditure was properly controlled, the system might be permanent, but if the administration was carelessly conducted upon unsound principles, it must soon come to a conclusion. Now what was the sound principle? It was that which had been laid down by the right hon. Gentleman, and was very much the principle which actuated the mind of the hon. Member for Leeds (Mr. Baines); namely, that this system of Government interference in education was an anomaly throughout from beginning to end, and could not be based upon any regular commercial principle, or upon any principle that dictated the expenditure of the nation upon any other subject whatever. The business of the Government was to do as little as it could with reference to what was really the duty of the people themselves. The education of children was naturally a parental function, and was not the proper duty of the Government, which only interfered where its interposition was absolutely necessary, and after voluntary action was stimulated and in constant proportion as it became self-acting, the Government's aid should be at the earliest possible period withdrawn. The duty of the right hon. Gentleman (Mr. Lowe) was therefore to watch carefully the public expenditure for education, and to reduce every unnecessary grant of public money the instant it was found that the object could be attained in some other way. It might be very well for autocratic Governments to put themselves in the place of parents with reference to education, but that was not consistent with the spirit which animated the Government or the people of this country. The true spirit of this country was represented by the principle which had been advocated by the hon. Member for Leeds. The voluntary action of the people themselves was that which must be looked to in the question of education. In America, that voluntary action took the form of general taxation for the education of the whole nation which voted it. In England, the nation educates itself by private means, and resorts to taxation only in aid of the poor. There was certainly a very poor class of parents who could not wholly or sufficiently fulfil their natural duty in this respect, and in such cases it was the duty of the Government to supply the absence either of will or power to discharge the obligation. He thought, however, that in the first instance they should look to the rich inhabitants of each locality and the employers of labour for this bonus to the poor. They were the natural patrons and guardians of the poor, and it was not until the parents had failed in will or ability, and their rich neighbours and employers had failed in will or ability, that it became absolutely necessary for the Government to step in rather than let any children remain without education altogether; but even then, when public aid was obliged to supplement the incapacity of the parents and the negligence of patrons, the true principle was not to go to the Treasury but to local funds of public money—that is to rates. Then what did they come to? They had then to encounter the religious difficulty which had proved insurmountable in this country with regard to local rates for the purposes of education. The only mode of avoiding this difficulty was by coming to the Government far away from and above all local jealousies to arrange impartially among all religious bodies the distribution of aid necessary to supplement the want of means in various districts. The advantages and disadvantages of this system had been most ably stated by the right hon. Gentleman, who, he thought, however, had somewhat exaggerated its difficulties. The right hon. Gentleman stated that they were now dealing under this system with some 800,000 children, while there were in the country about 3,000,000 of children of an age for education. It must be remembered, however, that many of this number were the children of persons who were in such a position in society that no recourse to public aid was necessary for their education. Till you come down to quite the lower classes of society you do not begin to count in England the subjects for public aid in education. By stimulating voluntary action the public expenditure for educating those dependant on it might still further be economized, because the object was to induce local bodies more and more to come forward and bear the chief portion of the increased outlay on education. But while the right hon. Gentleman had exaggerated the prospect of increased expenditure, no doubt the present Vote was very large, and the House must look to him to carry out the principles he had laid down that night. The Government must not listen to the demands of everybody, but should yield only where necessity compelled them to aid a deficiency of means on a given spot. He hoped he had done so, and had economized the rate of expenditure on several heads. The capitation grant was one of the most anomalous parts of an anomalous system. An opinion of Dr. Temple had been quoted as if it applied to the whole system of expenditure on national education. Dr. Temple, however, was in favour of giving subsidies to educational expenditure generally equal to the sums voluntarily raised, and his objections in the passage in question were confined to the capitation grants, because those grants were, in fact, the first departure that was made from the principle of a subsidy. They were mere doles from the public purse, given on no principle except that of a certain rate of attendance at the schools. They were wholly unappropriated and merely replaced in subscribers' pockets that amount which had already been forthcoming. Those grants were, indeed, originally limited to small and remote country districts the poverty of which was supposed to prevent them from helping themselves; but that restriction was subsequently broken down, and the grants extended indiscriminately to all places, rich and populous towns, as well as remote country villages. The consequence was that in many cases they now went to places where they were not wanted, and where the manager of the schools hardly knew how to get rid of them. If, therefore, the right hon. Gentleman would have the courage to bring the capitation grant back to its original purpose he would do a great service to the public. At the same time, there being now no prospect of separate legislation for Scotland, which prospect was the sole cause of any distinction being made, the capitation grant could not fairly be denied to that country while it was conceded to England. As to the evening schools, to which the hon. Gentleman had taken some exception, there was no more useful part of the system. The important period in a boy or girl's life between childhood and adolescence was that in which there was the greatest danger that all the knowledge acquired at the day schools would be entirely lost; and if their system could not bridge over that interval by affording the means of instruction to those whose inevitable lot was early labour, it would be marked by one cardinal defect fatal to the success of the whole. It might be said that this gap would be filled up by the Mechanics' Institute, but it was precisely because the Mechanics' Institute had hitherto failed to achieve this end that the State had been called upon to intervene. This, therefore, was the last part of the Vote that it would be wise to retrench. The House would doubtless be always ready to advance the cause of education; but the Estimates required to be carefully watched; and if the report of the Commission which was now examining into the general subject of national education did not furnish satisfactory information to guide them, or even if the publication of that report was much longer delayed, it would be advisable for the House itself to institute an inquiry whether that growing expenditure might not be reduced to the proper and legitimate function of merely supplementing voluntary exertion as far as necessity compelled, and by no means superseding it.

Mr. COWPER said, the right hon. Gentleman who spoke last was rather sanguine in thinking that the way in which those Estimates were to be reduced was by the administration of his successor. Under the right hon. Gentleman's own administration that expenditure, instead of being diminished, had increased. It was altogether a mistake to suppose that the matter could be regulated by mere administration. The amount of those Estimates no doubt depended on the minutes of Council, which it was open to any Government to alter; but while those minutes remained the same they must make up their minds to encounter an increasing charge. The province of the State was not merely to supply the deficiencies of voluntary educators, but rather to improve the quality of the instruction. No attempt had been made by the Government to educate the people, and therefore the system was not open to the charge of undue centralisation. The object of the Government had rather been to direct and aid the education which was already given without them. He thought a careful inspection of the schools under the direction of the Privy Council would show that the education in those schools had been so greatly improved as fully to justify the expenditure. Before the minutes of Privy Council there was no system of inspection, no effective training colleges, no pupil teachers. The advantages brought to bear on the schools by that expenditure —in addition to the aid given to buildings—in the steadiness and perpetuity afforded to them by a large and regular stipend, and which the changing zeal of voluntary effort could never fairly hope to secure, would prove that the money had not been altogether spent in vain. They had a system in operation equal to any in Europe, and in his opinion the country had unequivocally declared itself in favour of its continuance. The mainspring of the education of the poor in this country had been religious zeal, and all that the Government had sought to do was, not to interfere with or to restrain that zeal, but to give it a wise direction. The Privy Council system, properly speaking, did not teach religion at all. It provided for the religious teaching in the Church schools being reported upon, but it had no voice in the teaching itself, and no control over it. It interfered with nobody's conscience; what it did was to afford free scope to the zeal of the Church in educating the people. It ought to be remembered, when so much fault was found with the system of capitation grants, that it tended to produce greater regularity of attendance in the schools. For every grant of money that was made the Privy Council expected to see a corresponding advantage, either in the improvement of the building or in that of the teacher or the attendance. No doubt many wealthy schools might do without the capitation grant, but to the great bulk of the schools which participated in it, it formed the most essential part of their income, and the withdrawal of that grant would lead in many instances to the declension of the school. The question of attendance was all-important, and yet he thought it would not be wise for the Government to have recourse to any compulsion with the view of inducing the children of the poor to remain longer at school than they usually did. The children of the working classes generally were found not to attend school much beyond the age of ten. They were then put to some employment, which, it must not be forgotten, was of itself a sort of education in the business of their future lives; and after leaving school their shortcomings in education might to some extent be supplied by attendance on night schools. There was, however, a deplorable deficiency of night schools, which might be remedied by a system of aid from the Government, judiciously rendered. He agreed with the hon. Member for Leeds, that the Government might very well aid the Mechanics' Institutes, as well as other schools; and he should have been glad to see the Privy Council minute extended to night schools connected with Mechanics' Institutes. Those Mechanics' Institutes were rapidly becoming more and more places where much good solid teaching was imparted in the evenings. They did not confine themselves merely to elementary instruction, but opened up a much wider sphere of information in literature and science to those who frequented them, and he looked forward to the time when the larger of those institutions, by assistance from the Government, might become so many colleges for working men. In conclusion he would say that until the House was prepared to make a great organic change in the system, they must make up their minds to advance this large sum yearly for the moral improvement of the people, satisfied that it was, on the whole, well employed.

SIR JOHN PAKINGTON said, he was not at present prepared to modify any of his opinions on this subject, as formerly expressed; but he could not refrain from indicating his sense of the excellent spirit and tone which distinguished the speech of the hon. Gentleman (Mr. Baines) the Member for Leeds. He felt the greatest pleasure in seeing the hon. Gentleman hold a seat in that House, affording him as it did the fittest opportunities for stating those views which he was so well known to entertain on subjects connected with education. He was afraid the hon. Gentleman and he regarded this great question from different points of view; but he felt certain that no one who had paid considerable attention to the subject of popular education could have failed to be deeply impressed with the signal ability and zeal which the hon. Member had displayed in its treatment and advocacy during many years. He agreed with the hon. Member for Leeds in viewing this Vote with distrust, but the reasons of his distrust were very different from those which actuated the hon. Gentleman. The hon. Member for Leeds regarded the Vote with distrust, because he altogether disapproved of State assistance. Now he (Sir John Pakington) regarded it with distrust not on that ground, but because he strongly doubted whether the

State assistance which they gave was given in the wisest and most economical mode. He had heard with satisfaction what had fallen from both sides of the House as to the vast magnitude of this Vote, and he believed that they had not arrived at anything like the *maximum* amount which this Vote would reach if they persevered in the present system. He had no doubt that in course of time it would reach £2,500,000 or £3,000,000. The right hon. Gentleman who spoke last said it was not a centralized system. Certainly the bad effects of a centralized system were as much as possible obviated in practice, but there was no doubt that by the mode in which the grant was being administered, it was acquiring some of the evils alluded to. In his opinion the hon. Member for Leeds gave expression to a great truth in what fell from him on the subject of the capitation grant. He (Sir John Pakington) distrusted the growth of this grant, and the mode in which it was administered. He did not object to a large expenditure for the education of the people, but he wished to see it administered in a mode in which the public would have greater confidence than they had in the present system. He did not believe in the possibility of a central board administering such an amount with due economy and with proper advantage to the public. Nevertheless, he was not disposed to vote against a single shilling of the amount till he saw some better system proposed. What he mainly rose to do, however, was to ask the Vice President of the Council a question relative to the Commission which he (Sir John Pakington) was successful in getting appointed in the spring of 1858. It gave him great satisfaction to find that the services of the Duke of Newcastle had been obtained as President of that Commission. A better selection could not have been made as the noble Duke had devoted great attention to the subject; but he had now undertaken arduous duties of a different kind; and he wished to inquire whether the noble Duke still continued to act as President of the Commission, or whether his present duties had rendered it necessary that the presidency should be deputed to other hands. If so, he should like to know who was now at the head of the Commission. But a more important question was, what prospect was there of the House receiving the Report of that Commission? He was satisfied that the House would not be prepared to effect any change in the existing system till the Report of the Commission was received: and he should therefore be happy to have an answer to his question from the right hon. Gentleman.

MR. LIDDELL observed that they had heard a great deal about the enormous increase in this Vote, and that it was likely to increase rather than diminish, but they ought not wholly to regard this Vote as it appeared upon the Estimates. They ought rather to compare it with the reports of the Inspectors of Schools, and although those reports, in their candid feeling and details, might not contain so satisfactory an account of the education of the country as they could wish, still they developed a steady and fair ratio of facts and progress, and if there were one feature more agreeable than another in these reports, it was the improvement in the pauper schools of the country, and which dealt with a class of children whose parents could not afford to educate them otherwise. He would draw the attention of the President of the Poor Law Board to the melancholy fact that, in spite of the large expenditure staring them in the face, there were yet 300,000 poor children not receiving any education in this country, and who belonged to a large proportion of that class of paupers who received out-door relief. Machinery had already been provided for their education, but the Act being permissive remained inoperative. From a return that had been furnished on the subject out of 612 unions only 199 availed themselves of the Act; 418 had neglected to avail themselves of it altogether, and of the 199 who had availed themselves, the total number of the children amounted to 5,650. The Act in question was the 18 *Vict.*, c. 94, and it was passed mainly through the influence and authority of Mr. Speaker. He believed the best plan that could be adopted for rendering the Act more operative was for hon. Members and poor-law guardians to exercise their influence in their own districts in bringing it into public notice. He believed that the great mass of the poor-law guardians of the country were not aware of its existence, otherwise they would have availed themselves to a greater extent of its advantages. If that were done, a great amount of ignorance, and possibly of the material for youthful crime, might be brought under wholesome influences. Although the grant was unquestionably a large one, he considered that it had been far from profitless in its results. The great difficulty which was to be encountered lay in the unwillingness of parents in humble life to allow their children to avail themselves of the advantages of education; but from the pains and expenditure which had been bestowed on the rising generation, he believed that similar difficulties would not be experienced with the future race of parents in those classes.

Mr. WALTER said, there was one point connected with the subject before the Committee to which he wished to call the attention of his right hon. Friend who presided over this department. It had always appeared to him that if the object of Government was to afford a stimulus to the system of education, an active inspection was the form in which, in many cases, it was likely to give most efficient aid. But one striking omission in the working of the system was that it withheld its aid from those who were most willing to help themselves. If a squire, for example, resolved to erect a school in his parish he might go to the Government and solicit from them a grant in aid of the undertaking, and his wishes would be complied with. On the other hand, a person might feel it to be his duty as a landlord to provide a school for the instruction of the children of his labourers, and might decline to receive any pecuniary assistance from the Government; but, at the same time, such a person had a right to expect that the Government would extend to him that cheap and gratutitous assistance which consisted in Government inspection. That assistance could be given through the medium of the Government Inspectors. He claimed it as a right, which the Privy Council ought willingly to acknowledge, that those who did most to assist themselves by maintaining schools at their own expense should not meet with the difficulties which they at present encountered in obtaining the services of the Government Inspectors. The reports of these gentlemen afforded only an imperfect idea of the amount of education going on throughout the country. They ignored altogether hundreds of well-conducted schools, supported entirely upon the voluntary principle; and having on his own estates several schools established and maintained upon that principle, but never having enjoyed the benefit of the Government inspection, he hoped that if ever he should apply to his right hon. Friend the Vice President of the Council to have his schools visited and examined by the Government Inspectors, no hesitation would be felt in cheerfully granting so reasonable a request.

Mr. HENLEY said, he did not wish to prolong the debate, but he could not permit some of the observations which had fallen from the right hon. Gentleman the Vice President of the Council to pass without remark. He agreed with what had been said by almost every hon. Gentleman who had spoken, that although there might be many defects in the existing system of education, yet, until a better one had been brought forward—and he was not aware that anything like so good a plan had been proposed—we ought to go on as we had done for some time past. The Vice President had stated that in his opinion one main defect of the present system was that the trust deeds of the several schools were made too exclusive with respect to the particular religious bodies to which the institutions belonged. He begged to tell the right hon. Gentleman that if any evil existed of that kind—though for his own part he did not admit it to be an evil—it had been brought about by the action of the Privy Council itself, causing it to be suspected—he did not say whether with or without reason—that the Council wanted to introduce the very system which the right hon. Gentleman now talked of establishing — the system, namely, of conscience clauses. Those who recollected the disputes that took place not many years ago would remember that not a few of the parties who were willing upon other grounds to accept aid from the Privy Council would not accept it, because they were afraid of having some such measure thrust upon them as that which seemed to have passed through the mind of the right hon. Gentleman. It ought not to be forgotten that a vast number of the schools which now existed throughout the country were founded by the religious feeling of the public. There could be no doubt of that fact, and the right hon. Gentleman might rest assured that people of strong religious feeling would not permit themselves to be interfered with in the management of their schools. If he attempted to do so, instead of effecting the object which he had in view, he would only render the schools more exclusive, and aggravate the evil, if there was one, which he said now existed. During the last four or five years much of the jealousy which formerly prevailed seemed to have passed away, and he earnestly trusted that the right hon. Gentleman would not take any step which might have the effect of blowing again into a flame that fire which, he might depend upon it, was not extinguished, but only slumbering. Many influential clergymen looked upon the children in the schools connected with the Established Church as being under their spiritual charge, and it would be impossible to induce them by Act of Parliament to countenance any system of instruction which their consciences did not tell them was right. The hon. Member for Berkshire (Mr. Walter) had made some observations which appeared to have a great deal of force and truth in them as to the extent of the education under the cognizance of the Government inspectors. He did not think the Privy Council had to do with more than one-third of the present number of children at school. If there had been that increase of population since the census of 1851 which it was reasonable to expect, there would be 2,400,000 children in school, but in the schools under Government inspection there were not more than 800,000. There were a vast number of persons who did not want pecuniary aid ; all they wished was that no strain should be put upon their consciences, and that they should be permitted, upon that understanding, to apply for Government assistance in the event of their requiring it. Hitherto the present system had worked well in that respect. None of the great schemes which had been broached within the last few years had steered so clear of the same difficulty ; therefore he had opposed them all, and he should continue to set his face against every plan which did not allow the people to go to Heaven in their own way, and to teach their children what religion they pleased. There was one branch of the expenditure for education which ought to be carefully watched. He referred to that portion of the grant which was expended in the production of schoolmasters and schoolmistresses. The education of pupil teachers at the expense of the State was at one time necessary, but the Government ought to consider whether the ordinary law of supply and demand would not now produce an adequate number of sufficiently educated persons to conduct the education of the country. Did any very large proportion of our pupil teachers become schoolmasters, after all ? If not, we were unquestionably spending a great deal of money without obtaining the result which we intended to accomplish. He concurred in the remarks of the right hon. Baronet the Member for Droitwich upon the subject of education generally, and was quite ready to vote every shilling which the Government might ask. At the same time, however, he thought the Privy Council might do more than it had hitherto done in the poorer districts of the country, and he was persuaded that Parliament would not grudge any sum which might be required for extending the benfits of education to those who, though they stood most in need of it, were not able from poverty to provide it for themselves.

Mr. **PULLER** said, that with regard to the question raised by the right hon. Gentleman it was clear that the whole of the pupil teachers, after being maintained and educated by the State for five years, could not become schoolmasters, nor did he think it desirable that they should, inasmuch as lads of thirteen were not old enough to choose an occupation for life, and, even if they were, some of them might turn out unfit to be intrusted with the education of children. It appeared, however, from the Parliamentary returns that more than two-fifths of them actually became teachers, while, with respect to the remainder, it might be said that the money of the State was not wasted upon them, seeing that it was expended in imparting to them a sound education, fitting them to render good service to the country in the various occupations of life. The Vice President of the Council, after stating in his very able speech the numerous merits of the existing system, had frankly laid before the Committee what he considered its defects —namely, its increasing expense, its want of universality, and its denominational character. But with respect to the first of these objections he would observe that for every pound of the public money expended upon this object they obtained £2 from private contributions ; a fact which proved that this expenditure was both economical and popular. It should be also recollected that all their neighbours spent much on this object, and the United States spent without stint to give a good education to the children of that country. In his opinion the only substantial objection that could be brought against the system at the present time was its want of universality. Certainly those who paid their share of the money, but received no benefit from it, had a perfect right to complain. But there was a very simple way of curing that evil —namely, instead of diminishing, by increasing the grant, so as to comprehend the whole country in its scope. This would be a work of time, but it would be a certain remedy.

MR. HADFIELD said, the Committee ignored the fact that 2,500,000 children were taught in Sunday schools, by 313,000 teachers, who received no pecuniary reward whatever. The Church of England schools received two-thirds of the whole amount, though their numbers were not equal to those who received no grant whatever. They were not justified in increasing the grant before they had received the Report of the Commission then sitting on the subject. The increase this year was £173,485 of which £75,000 was for the arrears of last year. He believed there was not a man in the kingdom who was more desirous of promoting education than the hon. Member for Leeds (Mr. Baines), and his opinions were deserving of the utmost respect. That hon. Member was opposed altogether to these grants, and coinciding with him, as he did, he moved that the grant be reduced by £100,000.

Motion made, and Question proposed,—

"That a sum, not exceeding £486,920, be granted to Her Majesty, to complete the sum necessary to defray the charge for Public Education in Great Britain, to the 31st day of March, 1860."

MR. ROBERTSON was of opinion that the less this House and the Government interfered in the matter of education the better. Besides, it was becoming every day more and more a very serious drain on the public purse. As the noble Lord the Member for London had once well remarked, instruction was only received in the schools—education could alone be implanted at home. Scotland and her sons owed much to the system of education which prevailed there, and he would express a hope that the Government would leave the people of Scotland, as well as of England, to educate themselves, and that those national grants would be diminished with a view to their entire discontinuance, more especially as their inevitable accompaniments were the religious question, and its consequent fearful discussions and dissensions. The good feeling of men of property would always induce them to contribute to the aid of their poorer fellow-countrymen by subscriptions during life, and bequests after death, and the giving of public money would greatly tend to dry up these sources of private contribution.

SIR STAFFORD NORTHCOTE observed it was truly stated that the reduction of this Vote was to be effected not so much by keeping down the Estimates as by attending to the minutes on which those Estimates were founded. Formerly the Treasury was represented in the Committee of Privy Council by the Chancellor of the Exchequer, but since the appointment of the Vice President of Education the Treasury had ceased to exercise any real control over these minutes, which, in point of fact, regulated the expenditure. If it were wished to keep down the expenditure, some rule should be adopted by which the minutes of the Committee of Council should be submitted for the revision of the Treasury before they were finally adopted, because at present they were passed by the President and Vice President alone. They might then be modified when they seemed to entail too large an expenditure.

THE CHANCELLOR OF THE EXCHEQUER said, he did not rise to enter into the general discussion, but to echo what had just fallen from his hon. Friend. As long as the Education Votes were administered under the real control of a Committee of Council, formed of six or seven Members of the Cabinet, the Treasury was usually represented there by the First Lord and the Chancellor of the Exchequer, and whatever minutes were framed passed under the view of those who were responsible for the financial departments. The change since made was an important one, because now these minutes did not go near the Treasury at all. That change had crept in unawares, for he did not think the House was apprised that such would be the effect when the appointment of a Vice-President was decided on. He agreed, therefore, with his hon. Friend in thinking that it well deserved the attention of the Government, because it was not regular; it was not conformable either to precedent or to our principles of administration that important documents, forming, as one might say, standing contracts with parties all over the country, should take effect and should raise expectations which could not be disappointed, when they had never in any way been submitted to the consideration or approval of the Minister of Finance.

MR. LOWE said, that the information which he was able to lay before the House on the subject of pupil teachers was not very accurate. About 12 per cent., he believed, never came to the end of their apprenticeship, through illness and other causes. This reduced them to about 87 per cent., of whom 76 obtained Queen's scholarships, and it might be considered that these became schoolmasters. As to the remainder there was no accurate information. With reference to the question put by the right hon. Gentleman (Sir John Pakington), he had no official information as to the proceedings of the Commission, though they had sent him a long paper of questions which he was quite unable to answer. He knew, however, that the Duke of Newcastle still remained at the head of the Commission, and that they had sent out a large number of searching questions, to which answers had been received. He did not believe that the members of the Commission themselves would be able to tell the right hon. Baronet when they would report, but he hoped that report would be forthcoming in time to allow some action to be taken upon it next Session. The hon. Gentleman (Mr. Hadfield) proposed to reduce the Estimates by £100,000, but, as he had told the Committee, the expenditure did not depend upon the Estimates but upon the minutes, which, as his right hon. Friend had truly observed, were standing contracts, which had to be fulfilled; and therefore the only effect of the hon. Gentlemen's Motion, if successful, would be that there would ensue a deficit of £100,000, for which it would be necessary to apply to the House next year.

Mr. HENLEY said, he thought this rather an awkward state of things, for whereas the Chancellor of the Exchequer had just told them that he had no control over the expenditure, the Vice-President now said that the House of Commons had no control. If, however, the Committee were to refuse the money, he did not know where it would come from.

Mr. HADFIELD said, he would withdraw his Motion.

Motion, by leave, withdrawn.

Original Question put, and *agreed to*.

House resumed; Resolution to be reported on *Monday*.

WESTMINSTER NEW BRIDGE BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Mr. COLLINS said, he wished to point out that the whole cost of the bridge, with the approaches, would be about £500,000. The value of the bridge estates was about £150,000, so that £350,000 would have to be found from some other source, either county-rates or, more probably, the Consolidated Fund. No wonder the Miscellaneous Estimates increased at such a rate if charges of this description were imposed on the country at large for the improvement of the Metropolis.

Bill passed through Committee.

House resumed; Bill *reported* without Amendment.

MEDICAL ACTS AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

Mr. WHITESIDE moved the Second Reading of the Bill.

Mr. GROGAN said, he must express a hope that this Bill would be postponed until the opinion of the profession in Ireland was taken upon it. The Bill had been only printed and sent over to Ireland yesterday.

Mr. WHITESIDE declined to postpone the Second Reading. The object of the Bill was merely to amend an omission in the Medical Acts.

Motion made, and Question put, "That the Bill be now read a second time."

The House *divided*:—Ayes 115; Noes 14: Majority 101.

Bill read 2° and *committed* for *Tuesday* next.

NORWICH ELECTION PETITIONS.

INSTRUCTION.

Mr. EDWIN JAMES said, he rose to move "That it be an Instruction to the General Committee of Elections to suspend their proceedings in the matter of the Petition of Electors of the City and County of the City of Norwich which was presented upon the 17th day of June last, against the Return of Henry William Schneider, Esq., and Viscount Bury, until the Examiner of Recognizances has reported on three other Petitions, subsequently presented to this House, against the Return of Viscount Bury, and which subsequent Petitions relate to the same Election as the Petition presented against the Return of Henry William Schneider, Esquire, and Viscount Bury on the 17th day of June last." These petitions were against the return of the noble Viscount in the election of April last; but there was a subsequent election in the month of June; there was no allegation of bribery or treating in the June election, all the allegations referred to the election that took place in April; it was alleged that the bribery at this election was notorious.

If the election should be declared void on this account the noble Viscount would be unable to take his seat on the election in June. The question, therefore, was whether all the petitions should not be tried by the same Committee; if not, all the facts might have to be gone over twice. The point depended entirely on the construction of the 48th section of the Act of Parliament. It would be better that all the petitions should be tried by the same Committee.

SIR FRANCIS BARING said, that as a Member of the Committee he wished to state that a similar application had been made to the General Committee on Elections and that they had come to the conclusion, first, that they were not satisfied that they did not possess the power by law to carry out the instruction moved by the hon. and learned Gentleman, and next, that if they had such a discretionary power, they were unanimous in refusing the application. He would remind the House that the main principle of the law on disputed elections was, that they should not be brought for decision before the House of Commons, but another tribunal—the Committee of Elections. He would suggest that the wiser course was not to override the decision of the Committee. The question had been considered by the Committee of which the Secretary of State for the Home Department and the right hon. Member for the University of Cambridge were Members, and they were assisted by counsel. The decision was unanimous, and it was supported by a precedent in former times. As to the inconvenience, there might be quite as much inconvenience if the decision of the Committee had been the other way. It was quite true that the second petition referred to the supposed misconduct of Viscount Bury at the former election, but supposing Viscount Bury had been elected on the second occasion for Marylebone, and was petitioned against in respect of Marylebone, could it be said that the petitions for Norwich and Marylebone ought to be referred to the same Committee? The General Committee of Elections thought that these petitions referred to two different elections, and had treated them accordingly. The Motion now was too late, and he did not see how the House could interfere.

SIR GEORGE GREY said, he was of opinion that the House had no jurisdiction in a matter which had been settled by Act of Parliament. If they sought to make that House a court of appeal, the Act would be completely null and void. Under these circumstances, he trusted the hon. and learned Member would not press his Motion, but would be satisfied with having brought the subject under their notice.

MR. AYRTON said, that as far as the first petition was concerned, it had been brought to a conclusion by the noble Member having vacated his seat, and he imagined that the only petition which could be prosecuted was the second, with regard to the election which gave him a title to a seat in the House.

SIR WILLIAM MILES said, he thought it would be most inexpedient for that House to interfere with the jurisdiction of the Committees. He was much surprised at the construction given to the Act of Parliament by a man so experienced in election business as the hon. and learned Member for Marylebone.

MR. SERJEANT DEASY said, the Motion of his hon. and learned Friend amounted to an attempt to repeal the Act of Parliament by which the General Committee of Elections were constituted the sole tribunal to pronounce a decision upon questions such as that under discussion. In his opinion the proper course was for the House not to interfere in the matter.

Question put, and *negatived.*

House adjourned at half-past One o'clock, until Monday next.

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HOUSE OF LORDS,

Monday, July 25, 1859.

MINUTES.] PUBLIC BILLS.—1ª Bankruptcy and Insolvency (Ireland) Act Amendment; Diplomatic Pensions.

2ª Chief Superintendent (China).

THE NATIONAL DEFENCES—RIFLED CANNON.—QUESTION.

LORD LYNDHURST: I wish to ask the noble Duke opposite (the Duke of Somerset) a question. But before I do so your Lordships will perhaps allow me to make a few observations on a matter personal to myself. My Lords, I am informed that an hon. Member, supported and backed up by a noble Lord, in another locality, if I may so express myself, has made certain charges against me with reference to what fell from me the other night in the course of the discussion upon the defences of the country. One of those charges is undoubtedly true. The hon. Member stated that I was an "old man," or an "aged man," or an "old Peer," for there are varied readings of this classical attack. I am sorry to say that I am compelled to plead guilty to this part of the charge; while at the same time I cannot but admire the sarcasm so pointed, so keen, so bitter, so creditable to the taste and talent of the hon. Gentleman who made this extraordinary discovery. So much for this part of the charge. Another more serious part of the charge was to this effect—that the doctrines I laid down were not doctrines at all suited to the present day, and to the present enlightened state of society; that they were referable to a period of, I think, sixty years back, or some such period. But, my Lords, this part of the charge, I must bring to your recollection, is perfectly unfounded, and, if I may venture to say so, perfectly untrue. For what was the course of observation that I pursued? It was the most simple course that any man could have adopted. I reminded your Lordships that hitherto we had been in a state of perfect security at home and abroad with respect to our honour and interests, in consequence of the superiority of our navy. That was my statement. I went on to say that naval warfare had assumed a new shape, and a shape of such a character that it was impossible for us to say with confidence that we could rely upon such a state of security. And I called upon your Lordships and upon the Government to do everything in their power to put the country, both in its military and naval defences, in such a state as would restore us to the security that we have hitherto enjoyed. I entered, perhaps, too much into detail, but I never deviated for one moment from that line of argument. I do not believe that there is a conscientious man in this country, except the individual to whom I have referred, and who made this charge against me, who would differ from the opinion I then stated. I do not believe that any man who has the heart of an Englishman would have dissented from that statement. My Lords, it is very well for Englishmen in private life, when they are smitten upon one cheek, to turn the other cheek to the smiter. But that is not my feeling, and least of all ought it to be the feeling of a great and powerful nation. My Lords, I might cite a passage from an eminent orator—an Athenian orator—which I think somewhat in point. He says in substance, "Nations build large fortresses, and lay out great sums of money for that purpose; but there is one common bulwark which every prudent man will take care to maintain. It is the great security of all nations, particularly of free States, against foreign despotic power." He goes on to ask, "What is this?" The answer he gives is, "Distrust, distrust. Be mindful of that, adhere to it, and you will be free from almost every calamity." I thought it right—perhaps necessary—to give this explanation, as to the substance of what I stated the other night in contradiction of those unfounded charges which have been preferred against me in the locality to which I refer. The question I have to put to the noble Duke is this—I am sure the noble Duke will not think it requires any previous notice, whether he is aware that the French are arming their fleet on the other side of the Channel with rifled cannon? I put this question because from the reports I have heard it would appear that the rifled cannon we are preparing will not extend to above 100 in the present year and 200 in the following year, whereas it is said the French rifled cannon are manufactured with such rapidity that they will be able to arm their fleet in that mode long before we can make use, to any extent, of the rifled cannon of Sir William Armstrong.

THE DUKE OF SOMERSET: The noble and learned Lord, in referring to what he said on a former evening, I must say, has entered into an explanation which does not agree with the impression made on my mind as to what he said on that occasion. I thought at the time that the observations of the noble and learned Lord were very pointed, and that he made many remarks that were unnecessarily offensive to other nations. I think the noble and learned Lord might have offered his advice—which is always received from him as from very high authority—without mixing it up with observations unnecessarily offensive to the feelings of a susceptible nation. That was the objection which I made at the time to the remarks of the noble and learned Lord. With regard to the question put by the noble and learned Lord, I have only to say that of course I have heard the report alluded to, though I cannot say that it was furnished upon any very authentic information. That report is that some rifled cannon are being prepared in the French arsenals. I am aware, also, although we have many improvements in our cannon now in progress of manufacture, that the guns we are making, according to the most approved system, will not be ready for many months to come. But that is not the only question of importance. There are many other questions connected with the subject, but which I do not think it necessary to detain your Lordships by now entering upon. I do not think fit that I should now enter into all the questions connected with the improvements of cannon which are under the consideration of those Departments to which they belong. I must, therefore, decline to follow the noble and learned Lord into the discussion he has raised, for the purpose of showing what we have done in answer to what he stated he was informed the French had done.

LORD LYNDHURST: I think the observations made by the noble Duke are very unfounded. I put this question at the time: I said that persons will ask me, perhaps, whether I do not place confidence in the promises and assurances of the Emperor of the French. I said, I leave every man to answer that question as he thinks advisable. As for myself I answer it in this way. I will not trust the liberties of this country, its honour and its interests, to any declaration or promise of any friendly Power, or indeed of any Power whatsoever. I will rely solely upon my own power, my own resources, my own vigour, and the strength of my own right arm. I will not rely particularly upon the Emperor of the French, because from his situation I think that the Emperor cannot rely upon himself. These are the only observations, as I am aware, that fell from me in the recent debate in reference to the Emperor of the French. I appeal to your Lordships whether there is anything that any one can reasonably complain of in the observations I made.

MIDDLE-CLASS EDUCATION.

LORD BROUGHAM:* I rise, according to the notice I gave on Friday, to bring under the notice of the House the Petitions which I presented on that day, 120 in number, from twenty-four counties, and signed by upwards of 15,700 persons of various ranks and all classes, excepting the humblest. And I must begin by stating, that my noble and learned Friend (Lord Lyndhurst) is not the only person who has been charged with being aged. I, too, have been a sufferer from the like imputation.

LORD LYNDHURST: I do not admit that I am a sufferer.

LORD BROUGHAM: I am glad to find my noble Friend is not a sufferer. No more am I. But it has certainly been said, not "elsewhere," but by an able and eminent person, promoted to a high office, of which, I doubt not, he performs the duties much to the public advantage, that I have grown grey in talking of education; and disrespectful words were added, because I happened to differ with this worthy individual in some of his opinions upon the subject. To the charge of age I plead guilty, with my noble and learned Friend; that I have only talked upon education, if such was the sense of the accusation, I take leave to deny; but I shall pursue the same course, which for so many long years I have held, both in and out of Parliament, strenuously devoting myself to the education of the people in all its forms and all its branches. Since I gave my notice of bringing this great subject before your Lordships, a debate has taken place "elsewhere," which your Lordships have most probably read the account of, and I shall thus be spared the trouble of bringing many details before you. A very able and useful statement was made by my right hon. Friend, the Vice President of the Council (Mr. Lowe), who, however, is represented to have fallen into some errors by inattention to dates; and the other side of the question was taken, with equal talent, by my Friend the Member for Leeds (Mr. E. Baines). It would be difficult to find two persons more fitted, by their abilities and their enlightened principles, to handle this question, — propounding the views in which they differed with exemplary fairness towards each other, and perfect good-will to the cause. Their statements were incorrect as to the origin of the system now established, and of which I am enabled to speak with perfect certainty. In 1816, 1817, and 1818, I had the honour of presiding over the Education Committee in the House of Commons, and I am only discharging a strict duty to the memory of that celebrated body, if I state, after all the violence by which it was assailed has subsided, and men are fully aware of its services, that their Report in 1818 recommended that very measure afterwards adopted: of vesting annually a sum in responsible hands, to be applied in planting schools, but so as not to check, and rather to stimulate private exertions. The plan proposed was to give a sum for outfit, so as to provide the building, or other first expenses, to such bodies or individuals as would furnish a due proportion of these, and would undertake the charge of continuing the school. We advised, as a general rule, the applying the grant through the instrumentality of the two great Societies, the British and Foreign and the National, but without confining it to these. Furthermore, with the concurrence of the Committee, indeed by their instruction, I prepared a Parish School Bill which I brought in, and it had made some progress, when that and all other business was suspended, except the necessary work of the Session, by the well-known proceedings before this House, in which my noble and learned Friend and myself bore a part (Queen's Case), and which for many months occupied Parliament and the country with an absorbing interest. When the heats and distraction of that time had passed away, it was found that another obstacle arose to the Education Bill; not from any opposition of political parties, or of the Government, I am bound to say, or of the Church, but unhappily of the sects, who were jealous of the provisions made for clerical superintendence, but under the strictest regulations to prevent all exclusion of Dissenters, and all observances that might lead to such exclusion. Finding these worthy persons immovable in their objections, as I well knew how zealously they had worked for education so many years, as my fellow-labourers, it became my duty to submit. I yielded to circumstances—to scruples which I could not remove; but I submitted unconvinced, and as little convinced were some of their own most distinguished leaders. I well remember, with one of their most venerable presbyters, the late Dr. Lindsay, leaving a meeting where we had stood nearly alone, and in reference to their vehement objections against the least interference of the Church in the economy of schools, he said:—

> "I am, as you know, a strict Presbyterian, adverse to the Church of England and the regimen of prelates; and I am as irreconcilable an enemy to the Church of Rome; but rather than the people should not be taught at all, I would have them taught by the Pope of Rome himself."

Such was not the sentiment of the dissenting people at large, and the Bill was abandoned.

But although the action of Parliament was thus prevented, the unaided efforts of private zeal and private munificence continued to further the great and good work. Much had been thus effected before the appointment of the Education Committee; and in the earliest days of its labours, in 1818, the number of day-schools in England and Wales was 19,000, attended by 674,000 scholars; and 7,400 Sunday-schools, with 425,000 scholars. In the next fifteen years there was a great increase, which we of the Committee flattered ourselves we had some share in causing. The day-school returns were now 39,000, with 1,127,600 pupils; the Sunday-schools 16,800, and 1,548,000 pupils; so that the amount of schooling had doubled in the interval, and still without one farthing of the public money being applied. In 1833 when my noble Friend at the table (the Marquess of Lansdowne) and I were Ministers of the Crown, as soon as the agitation occasioned by the Reform Bill had subsided, I deemed it my duty to call the attention of my colleagues to the Report of the Education Committee to which I have referred. I obtained the concurrence of the Treasury, then under my dear and lamented friends Lord Grey and Lord Althorp; and the sum, the moderate sum of only £20,000, as a beginning of the new work which it was resolved should be tried, was vested in that department, to be applied annually to execute the plan recommended in 1818, but which during the interval we had possessed no power effectually to pursue. The success was such, that the grants have gone on constantly increasing; and this year, instead of £20,000, they amount to between £700,000 and £800,000. The number of day-schools during the next 18 years, under the system of grants, has increased to 46,000, with 2,144,000 pupils; Sunday-schools 23,500, and 2,401,000 pupils. But a great change and improvement has taken place, beyond the increase of numbers. There has been an important change in the quality as well as the quantity of instruction afforded, and this is wholly owing to the improved administration of the funds. In the Bills which I have repeatedly presented to your Lordships, I proposed establishing a Board, with two irremovable members and one responsible minister. I have abstained, of late years, from pressing this plan upon Parliament, because since the administrating of the funds has been vested in the Committee of Council, great success has attended their labours; in referring to which it is impossible to speak in terms too laudatory of Sir J. K. Shuttleworth and Mr. Lingen, the able and indefatigable secretaries. I own I could wish that there were established some more close connection between the Committee and the Treasury, in order to promote a more close inquiry, I had almost said inquisition, into the circumstances, the detailed particulars, of all applications for aid, with a view to the most rigorous economy and the prevention of abuse.

But the great service rendered by the Committee of Council has been their invaluable measures of Training Schools for the education of teachers—of inspection, extending over all schools receiving aid; and of pupil teachers, substituted for the old monitorial plan of what was called mutual instruction—against which, my friend, Mr. Cousin, has written a book, and which in consequence of the substitute provided by the Committee—far better than any argument either they or he could use—has really ceased to exist. I have stated the claims to gratitude of the Education Committee of 1818; but I am bound to admit that this forms no part of their recommendation, at least, such is my recollection of their Reports.

But another plan I have often proposed to your Lordships, and it was the subject of a Bill presented you. I refer to it, because it bears upon the only real objection made to the prayer of these petitions for the extension of certificates and inspection to middle-class schools. I was anxious to confer upon all corporate towns, all towns having a Council, the power of levying a school rate by the authority and under the control of the Committee of Council, in order to prevent abuse, and to guard against interference with private and voluntary exertions. This would alone give a vast number of schools where education is most wanted, schools under the management of parties living on the spot. For it is lamentable to find, that the deficiency of education is much greater where it is most wanted. In great towns, having 50,000 inhabitants and upwards, it is as thirteen to eleven in comparison of the rest of the country—and, unhappily, in London greatest of all; so that there are in the capital, as compared with the rest of the country, only half as many day-schools and scholars, and one-third as many Sunday-schools and scholars. It would have been an easy, and I should say, a safe measure, to give that power of rating to all those corporate towns, taking care to make one indispensable condition of all aids to be granted, that no exclusion of any sect should be permitted by the rules established or the observances appointed, though requiring that parents, on refusing to let their children attend the parish church and learn the Catechism, should give a security that they are taught the religion and attend the church of their families. I know that many hold it better to separate entirely secular from religious instruction, and I was formerly much inclined to this view. But I consider the opinion of the country to have been fully pronounced in favour of religious education; and I see no difficulty of combining this with due equality to the Dissenters and Churchmen. The difficulty, no doubt, is great, to get an exact equality. You cannot place the Dissenter on the same footing in all respects with the Churchman, because, to have at a school ministers of the faith of each family having children there is impossible, the Church being one and the sects thirty-five. But you can prevent all exclusion; you can secure that the doors shall be open to Jew and Gentile, Turk and Christian, Churchman and Dissenter. Each cannot be taught or catechised by a minister of his own faith; but, that the children of Dissenters may be taught in the same school, and by the same masters with the children of Churchmen, is proved by numerous examples—such as the excellent school on King Edward's foundation at Birmingham, where many Dissenting children, above one-third of the whole, receive secular education without any objection by their parents, while receiving religious instruction from their own pastors, and attending the worship of those pastors. I know, too, in Scotland the same object has been fully and satisfactorily attained; and there, although the main causes of dissent are rather in discipline than in doctrine, yet there are also sects of entire diversity in belief, as Roman Catholics, Baptists, Unitarians. Now, the difficulty has been entirely overcome in the school established by two friends of the noble Marquess (Lansdowne) and myself—Lord Dunfermline, and also he of whom we have so lately had the altogether irreparable loss, Lord Murray. In that school, all sects are taught together in the same room, and their religious instruction takes place at different hours of the day, without any difficulty whatever.

Now, all these exertions have been made, and all this money has been expended, for the education of the poorer classes—the working classes. The number of schools planted—the providing teachers qualified for their important duties by training schools—the inspectors appointed and salaried to secure the performance of those duties—the qualifying pupil teachers, and defraying the expense of employing them; invaluable as the system has proved, and daily increasing in its extent, and adding to the benefits it bestows on the community, yet its operation is confined to the humbler classes of the people, and the petitioners complain that the inestimable benefits of the system are not extended to the middle classes, who pay a vast proportion of the charge. Of the four millions which have been subscribed for this good work, it is calculated that above three are contributed by them. They have not grudged this or complained of it as a burthen, and they are fully sensible of the benefits it has secured, and grateful for the improvement of their poorer brethren. But they feel that the schools at which their children are taught by no means stand in the same position as those of either the classes above them or below them, and to the great defects of their schools it is, that the many thousands whose petitions I have presented and entreat your attention to, are addressed. These petitions, from all parts of the country, have been transmitted to the "Society for Promoting National Education," whose exertions are above all praise, under their manager, Mr. Joseph Bentley, of whom I will only say, that his purse as well his labour has been devoted, without stint, in the most disinterested manner, and from the purest motives, to this good work. The petitioners complain, that no care is taken to prevent improper persons from exercising the office of teachers in these schools. While tests are required of qualification from those who exercise other professions, as the medical in all its branches; no pains are taken to qualify those where incompetence as teachers may produce the most serious evils, or to prevent, or even to discourage, those whose character and conduct wholly unfits them, or whose employment as schoolmasters for gain, being uninstructed and ill conducted, is calculated to inflict the greatest evils on the community. The petitioners have no intention of recommending any compulsion; but they claim the benefits of the system of inspection for all schools which voluntarily place themselves under the supervision of the council—all schools which either the patrons or the teachers choose to place in connection with that council. If arrangements were made for inviting or permitting all who enter into the profession to be trained, and for granting certificates to those who excel, which might have the effect of a diploma or degree, the petitioners are confident that the effect would be to raise the character of the teachers, both for moral and professional fitness, and give the same improvement to the schools of the middle classes, which the great seminaries of the higher orders have long possessed, and which the administration of the funds granted by Parliament have, of late years, secured to the schools of the humbler classes. This subject is of greater interest than can well be described. The petitioners justly observe, on the care taken to protect the health of the people from the risks occasioned by unqualified practitioners; they ask if the morals of the community are of less importance than their health, and bid you to look to the misery, and suffering, and crimes, resulting from ill-conducted or incompetent teachers in schools. We prevent unqualified practitioners of medicine in all its branches by law. The petitioners only ask for due encouragement to schoolmasters, qualified by their conduct and capacity, and they rely on the effect of this encouragement, sooner or later, to place all schools under fit masters. And here let me for a moment step aside and advert to a kindred subject, which has been most strikingly brought to my attention as connected with the improvement of the middle classes, and more especially in the Congress of Social Science, at Birmingham, in 1857, and at Liverpool last year. I here allude to the training of female teachers, and the necessity of requiring a capacity to instruct, and a willingness to instruct, in other than the ordinary accomplishments of music and French, or the necessary learning to read, write, and cypher. But household duties require the learning of other things, as needlework and cooking, and it is of the utmost importance that those who are to be the wives of working men and the mothers of their children, should be qualified to save their money and make their homes comfortable, which far too many wives are not. The consequence is that the husband, unless he has acquired a taste for reading, passes his evenings at the alehouse. We had at Liverpool and Birmingham, the strongest representations made of the difficulty in procuring female servants, from the love of distinction in higher accomplishments making girls despise the more ordinary and useful ones I have referred to. It is lamentable to add, that their morals in too many cases suffer, and render them unacceptable as domestics. One manufacturer, though not in either of the great towns I have mentioned, declared that of the numerous hands in his employ, no fewer than eighty unmarried girls were mothers. Why do I mention this painful subject in connection with the improvement of the middle, rather than of the working classes? It is because by an uniform law of our social condition all improvement proceeds from the higher to the lower order of society, and therefore the improvement of the middle classes is sure to be followed by that of those below them.

I have been drawn aside from my statement of the numbers of these classes, and the proportion which they bear to the rest of the community. According to the calculation of Major Graham, the Registrar-General, the working classes form four-fifths of the people. Though I placed great reliance on my hon. Friend's estimate, I had recourse to the evidence before Mr. Hume's Income-Tax Committee, in 1853, particularly that of Mr. Farr, for the purpose of checking the calculation, and I found that, taking those under the income of £75, as the working people, the result agrees to a mere fraction of difference with the proportion of four-fifths. Then, of our nineteen millions, this would give fifteen and a half for the working classes, and three and a half for all the others. In order to find what proportion of this three and a half are of the middle class, I take all incomes frum £150 to £1,000, and I find these are possessed by about 107,000 persons; or allowing five to a family, somewhat under 550,000 of the people. Their children of a school-going age would be 120,000, and require about 1,200 schools, a large number, with reference to the importance of the class being well educated, but an inconsiderable number with regard to the additional duty, which extending the Privy Council inspection would impose upon that department.

These petitioners are anxious to declare their desire that no restrictions may be imposed upon Education, whether of the upper, the lower, or the middle classes—restrictions which are in the least degree connected with religious belief, or inconsistent with the most perfect toleration. That I heartily agree with them, I need not add. All withholding of rights or privileges, all exclusion from colleges or schools; in a word, every arrangement, be it by law or by practice, under a law, or by a mode of administering it; nay, be it by any feeling or prejudice operating practically in society to exclude persons for their religious faith from advantages enjoyed by others, the bulk of the community,—are to be either reprobated or deplored—reprobated if wilful, deplored if unintentional—as not only oppressive to the excluded, but hurtful to religion; inconsistent with its genuine spirit, adverse to its best interests, obstructing the progress of truth, and only encouraging error. How often have I in this place, and with the concurrence of my noble and learned Friend (Lord Lyndhurst), declared my hostility to all attempts at supporting religion by exclusive or disqualifying laws. Vain, indeed, must such attempts ever prove; impotent to promote truth, but not powerless to propagate error. For persecuted truth I have no anxiety or alarm,—it grows under attacks, and rears its head the higher. Of persecuted error I have a great dread; for persecution confirms and spreads it, and makes it at length usurp the place of truth.

THE BISHOP OF LINCOLN* expressed his thanks to the noble and learned Lord for calling the attention of their Lordships to the very important question of the nature of the education now provided for the middle classes. In speaking of the middle classes he was disposed, however, to draw the line somewhat below that fixed by the noble and learned Lord, and include all whose incomes ranged between £75 and £500 a year. Those above the latter sum generally send their children to a higher class of schools than those whose defects had been alluded to. Of late years some amount of jealousy had been expressed among the middle classes, on the ground that the education given, partly at the expense of the tax-payers generally, in our primary schools, was superior to that they could obtain in schools of considerably higher pretensions, and which cost much greater expenditure. He believed there was some truth at the bottom of that feeling as to the deficiency in the quality of the education given in the middle-class schools. He believed that instruction in the primary schools to those children who were permitted to remain long enough in them to profit by going through the complete system of instruction, was very much better; and in saying that, he was but giving utterance to complaints he had frequently heard from those whose means and whose social position and habits obliged them to send their children to the more pretentious and higher-priced schools. Take the case of farmers, for instance, who were not willing to send their children to the National school in the village, and who placed them in middle-class schools at a distance, and at a considerable cost. Many of them had said to him, "We cannot judge of professions, but we can of results; we pay high for the education of our children, but we do not get value for our money." He thought these schools should be subjected to periodical inspection, in the same way as the National schools, under the authority of the Committee of Education. He knew that the Chancellor of the Exchequer would not consider the present moment a very favourable one for making an addition to the educational votes for the inspection of these middle-class schools, but he could not help thinking that a very small amount would suffice for the immediate purposes in view. Of course, compulsory inspection was quite out of the question, the inspection could only be applicable to those schools where the masters desired it, and applied for the inspectors. But he had no doubt that, in cases where the proprietor of these schools believed the system of education pursued in their establishments would bear the test of inspection, that the prospect of receiving the certificate as to the superiority and efficiency of the training and instruction imparted, would induce them to come forward voluntarily and request it. In the course of time the success which they would achieve, in consequence of the greater influx of pupils, would incite the proprietors of other establishments to introduce improvements, and to qualify their schools for inspection also; and thus eventually, and at a comparatively small cost, the whole tone and efficiency of these schools might be greatly raised and improved. What he had said respecting the inferiority of middle schools generally had special reference to female education in that class of schools. The education given was very pretentious, but it was very imperfect; and he would only conclude by saying that, if it were possible, no greater boon could be bestowed upon the middle classes than to appoint inspectors, or to give those now existing power to visit and report upon these schools.

EARL GRANVILLE* remarked that the noble and learned Lord, who had presented petitions from a large number of persons on the subject of education, had addressed himself to two questions—one the subject of the education of the labouring classes, and the other the education of the middle classes, which was more immediately the subject of the petitions. Lord Granville was not surprised that the noble and learned Lord had, in dealing with the first point, referred with some pride to the labours of the Committees which were formed in 1817, and over which he had presided. Lord Granville was too young at the time to know anything of those Committees; but he has often been struck, in reading Lord Brougham's speeches in 1819, with the comprehensive manner in which all the principal improvements in national education, since carried out, were therein inculcated. The noble and learned Lord had read to the House some statistics with respect to the number of schools and scholars between the time of the sitting of those Committees and the first grants of public money. But any such statistics are fallacious, unless the quality of the education given is taken into account. The large proportion of schools were held formerly in buildings ill-adapted for their purpose, the system of education was bad, and the schoolmasters entirely incompetent. Under the minutes of 1833, and subsequent years, excellent schools buildings have been scattered over the land, a good system of teaching adopted, and, by the introduction of pupil teachers into schools, an invaluable body of men have been raised for the object of national education. Large sums are now being expended for this purpose, and have not unnaturally excited the attention of the other House of Parliament; and it becomes more incumbent than ever upon the department of the Privy Council, which has the superintendence of these grants, to endeavour to make those grants produce still more effect, by great vigilance as to the conditions accompanying them, or possibly by some change in those conditions. In this object, Lord Granville hoped that assistance would be given by the Commission, presided over by the Duke of Newcastle, who had been able to take a more general view of the work of national education than it was possible for an office to do. Lord Granville regretted that, as regards what it was right that the Government should do for the improvement of the education of the middle classes, he could not go as far as the noble and learned Lord, and the right reverend Prelate, who had followed him. Great political economists, such as Mr. Adam Smith and Mr. John Mill; great statesmen, including the noble and learned Lord himself, had laid down the principle, that it was the right and duty of the State to give to the working classes that education which, while it was a means of preserving order, was not within the reach of such persons, even if they appreciated its importance. No one had hitherto maintained the same principle applied to those who were rich enough to provide education for their children. The smaller farmers and shopkeepers could now obtain, at a very small rate, an excellent education for their children at the National schools, and their larger means gave them the advantage of keeping their children at those schools much longer than it was possible for the poorer parents to do. It is true that a feeling of social pride often prevented their availing themselves of these advantages. In Lord Granville's own parish, many children who could receive an excellent education close to their own doors, are sent to receive, at a considerable distance and at larger cost, very inferior instruction. Lord Granville did not quarrel with any feeling of this sort, but it is clear, that if it is indulged, it must be paid for by those who entertain it. There are, however, now facilities, which did not formerly exist, for ascertaining the merits of schools, by the best of all practical tests —their success. The competitive examinations carried on for admission to the different branches of the public service—the examinations conducted by the Society of Arts—the middle-class degree given by two of the Universities—all contribute to point out the excellence of certain middle-class schools, in their results as well as in the attainments of their masters; though Lord Granville freely admitted no means existed for training and granting certificates to middle-class teachers. As long, however, as the whole superintendence of National education was thrown upon a central office in London, the work was so great that it was only got through by the great ability and incessant labour of the permanent civil servants in the Council-office; and Lord Granville would not willingly assent to throw a new department of business upon them. Lord Granville could not, therefore, give an assent to the prayer of the petitioners; but after the strong opinions given by the noble and learned Lord and the right rev. Prelate, the matter was one which should receive the consideration of the Government.

After a few words from Lord Brougham, denying that there was any intention to make the inspection compulsory, the subject dropped.

House adjourned at Half-past Six o'clock, till To-morrow, Half-past Ten o'clock.

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HOUSE OF COMMONS,

Monday, July 25, 1859.

Minutes]. Public Bills.—1° Militia Ballots Suspension; Military Savings Banks; Roman Catholic Charities; County Cess (Ireland) Acts Continuance; Manufactures (Ireland) Acts Continuance; Dublin Police; Colonial Legislatures' Power of Repeal; Barbuda Government; Thames Watermen and Lightermen.

2° Queen's Remembrancer, &c.; Police (Counties and Boroughs) Law Amendment; Vexatious Indictments; Fireworks Act Amendment; Universities Incorporation Act Amendment.

3° Westminster New Bridge; Consolidated Fund (£7,000,000); Pawnbrokers.

SUPPLY.—COMMITTEE.

Mr. LAING said, he rose to move that the House go into Committee of Supply, and he would take the opportunity to appeal to hon. Gentlemen who had notices of Amendments upon that Motion to defer them until the evening sitting, when Supply would again be taken.

Sir HENRY WILLOUGHBY said, he wished to inquire of the Chancellor of the Exchequer whether he intended to proceed that evening with the Income-tax Bill, which had not yet been printed.

The CHANCELLOR of the EXCHEQUER replied that the Bill, although printed, had not yet been distributed to hon. Members, and therefore he could not press the second reading that evening. He would propose to take it the next day.

Mr. ADDERLEY said, he was willing to yield to the appeal of the Secretary for the Treasury, and postpone his Motion.

Mr. HORSMAN said, he should defer his Motion until Thursday.

SIR CHARLES NAPIER observed that he thought he ought to proceed with his Motion respecting Greenwich Hospital.

THE CHANCELLOR OF THE EXCHEQUER said, he would remind the hon. and gallant Member that when Supply was fixed for morning sittings the attendance consisted chiefly, if not entirely, of Members who wished to discuss the Estimates, and therefore the hon. and gallant Member would be doing himself an injustice if he did not postpone his Motion until he had a more extended audience.

SIR CHARLES NAPIER said, in that case he would accede to the suggestion, and defer his Motion until the evening sitting.

MUTINOUS PROCEEDINGS IN THE ROYAL NAVY.—QUESTION.

MR. LIDDELL said, he rose to ask a question on a matter which he believed and hoped had been much exaggerated. He wished to ask the noble Lord the Secretary to the Admiralty whether the report which had appeared in the public papers, with reference to certain occurrences alleged to have taken place on board Her Majesty's ships the *Liffey*, the *Cæzar*, and the *Hero*, was true, and if so what steps the Admiralty had adopted in reference thereto. In putting this question he wished to disclaim all intention of cavilling at the conduct of the officers on board any of Her Majesty's ships. He apprehended that that House would feel it to be its duty at all times to support the officers of the navy in the discharge of the very onerous functions which devolved on them. Much less was he there to apologise for crews who, through misapprehension or error of judgment, might have been led into any acts of insubordination: but owing, perhaps, to exaggerated statements which had appeared in public journals a great deal of misapprehension and some degree of alarm had been created in the public mind, and he was most anxious that an authoritative statement from his noble and gallant Friend should put the public in possession of the real facts of occurrences which had taken place on board the three ships to which his question referred. The first case to which he would refer was that of the *Liffey*. That ship had sailed from Devonport to Liverpool and back from Liverpool to Devonport. She was commanded by a gallant officer, Captain Preedy, and though not actually under orders to proceed to sea she was expecting them from day to day. The crew asked for leave to go on shore, which the captain did not feel himself justified in giving. On his refusal some mutinous conduct was exhibited on board. With regard to the *Cæzar* he need only say one word; because, if his information was correct, the disturbance was originated amongst and confined to the men employed in the dockyard, and the crew of the *Cæzar* were not implicated in it. With regard to the *Hero* he felt more interested, because the commanding officer of that ship was a relative of his own, and a gallant officer who had always shown himself to be up to his duty, and had on two or three occasions conducted himself with great credit and honour. The disturbance on board that ship had, he believed, arisen from an error on the part of the crew, in thinking that the crew of the *Liffey* had obtained their end by the exhibition of insubordination. He believed that the crew of the *Hero* was a very raw one, and that the number of officers on board were smaller than that which was generally considered to be sufficient for the purposes of discipline. It was important that the public was fully informed on the subject, and he therefore hoped his noble and gallant Friend would make a short statement on the subject.

LORD CLARENCE PAGET said, the Admiralty felt indebted to the hon. Gentleman for the temperate tone of his question, as it would be for the public advantage that the truth should be known, instead of exaggerated reports. With respect to the particular cases referred to, he would say a few words upon each. The *Liffey* was commanded by an officer well known as having commanded the *Agamemnon* during the successful attempt to lay the Atlantic cable, and who upon that occasion exhibited such remarkable seamanship—Captain Preedy. That officer had made a report to the Admiralty, which was as follows:—

> "Her Majesty's ship *Liffey*, Plymouth Sound, July 7.
>
> "I have the honour to communicate that on Saturday last, at about 9.30 p.m. (Her Majesty's ship under my command having recently arrived from Liverpool) it was made known to me that a noise had taken place on the lower deck, caused by a few shots having been rolled about the deck. Immediately on its discovery I assembled the ship's company at quarters, and sent for the petty officers on the quarter-deck, with the view to arrive at the cause of the circumstance, but notwithstanding my questioning them collectively and individually they expressed ignorance of the transaction, and on closely being questioned as to whether they or the ship's company had any complaint

to offer, they said they had none whatever; on the contrary, they were very happy and comfortable, but supposed it was owing alone to there being no liberty granted them to go on shore. This was out of my power to accede to, seeing that the ship was under orders for foreign service. On reflection, notwithstanding the crew had been recently granted leave at Liverpool, I thought fit to submit for your consideration their being allowed liberty here for the purpose of taking leave of their friends prior to quitting England, which you were pleased to permit. I beg to observe that I do not at all conceive that these disturbances are to be attributed to the ship's company in general, who are well-conducted, but confined to a few bad characters, who I regret to the present moment I have not been able to discover for the sake of example."

As to the case of the *Hero*, lying at Portland, the following report had been sent in by Captain Seymour:—

"Her Majesty's ship *Hero*, Portland, July 19.

"I regret to have to report a show of insubordination on board Her Majesty's ship under my command. Yesterday evening, at 8 p.m., considerable noise and the rolling of shot about the lower deck took place. Mr. Strickland, the first lieutenant and commanding officer, immediately turned the hands up to muster. A large part of the men (among whom were all the petty officers) had already separated themselves from the disturbers, and fell in at once. Mr. Strickland very judiciously passed the word that the well-disposed men should immediately give their names in to certain officers that he had instructed to take a list of the men who wished to separate themselves from those who were trying to make a foolish disturbance. This had the desired effect, and everybody came up and put their names down. Before this was accomplished I returned on board by a boat that had been sent to me to Her Majesty's ship *Emerald*, where I was dining. I addressed the petty officers and asked the cause of discontent; they replied that they had nothing to do with the disturbance, but believed it was in consequence of general leave being refused on Sunday. I then told the men I must repeat what I had said on Sunday last,—namely, that I was not authorized to give general leave, and that the admiral in command had now authorized me to repeat this to them, if I found that want of leave was the cause of the disturbance. I pointed out to the men that they had been but two months and ten days out of Sheerness harbour, that they had received all indulgences of advance, bounty, clothes, &c., granted to them, and that they would not gain their object or receive any support from anybody by an insubordinate act; that I would bring any one I could trace as ringleader to a court-martial, and that the law would be enforced against such evildoers. I then desired the men to retire, which order was obeyed, and the duties of the ship have since gone on as usual. I beg to bring to your notice that the judicious steps taken at the commencement of the disturbance by Lieutenant Walter Strickland probably prevented a more serious outbreak."

The other case, that of the *Cæsar*, was, as had been stated by the hon. Member, simply a disturbance caused by dockyard men, with which the crew of the ship had nothing to do. Those were all the facts, and he thought such occurrences were inseparable from a large fleet, in which 10,000 men had been lately introduced, as it were, at railroad speed, who were unacquainted with each other and their officers. Indeed, it was marvellous that there had been so few difficulties of that kind, and the fact reflected no small credit upon the zeal, assiduity, and firmness of the officers in command. Now, one word with respect to corporal punishment and the Motion of his hon. Friend the Member for Lambeth (Mr. W. Williams). Every one abominated corporal punishment. No officer ever directed the infliction of that punishment without deep regret and anxiety; but if we desired to maintain the efficiency of our fleet with its ancient renown, it was necessary to maintain its discipline. They could not all at once put an end to corporal punishment; it would die out, but it must die a natural death, and could not be strangled. The hon. Member for Lambeth had asked him a question on Friday last which, according to the rules of the House, he was unable to answer at that time—viz., what was the name of the captain of the *Princess Royal*, on board of which ship there appeared to have been an undue amount of corporal punishment. He (Lord C. Paget) hoped the hon. Member would not press his inquiry, considering that to drag an old and meritorious officer thus before the public would be most injurious to that officer. Besides, it would be unjust to give the name of the officer without also stating the grounds upon which the undue punishment complained of had been inflicted. He knew nothing whatever about the merits of the matter; but for the reasons he had stated, he hoped his hon. Friend would not press his inquiry.

MR. W. WILLIAMS said, his only reason for having asked for the name of the captain was because he thought the case which he had cited was one of undue punishment. He would not, however, press his request, understanding that it was now in contemplation by the Admiralty to take the question into their serious consideration. The subject was one of great importance. The Commander-in-Chief at Devonport had attributed the difficulty of getting men for the Navy to the prevalence of corporal punishment. He wished to state that the present commander of the *Princess Royal*, Captain Bailey, was not the officer who ordered the undue punishment he complained of. The leniency of the noble Lord the Secretary for the Admiralty stood out in favourable relief to the harshness of other commanders, as he had commanded the same ship for two years without inflicting corporal punishment at all.

Lord LOVAINE said, that as the statement of the noble and gallant Lord the Secretary for the Admiralty might lead to much misapprehension and possibly mischief, he thought the noble and gallant Lord ought to state distinctly whether the present Board of Admiralty had determined to abolish corporal punishment in the Navy.

Lord CLARENCE PAGET replied that he had not intended to convey the idea that the Board of Admiralty intended to abolish corporal punishment. He had only said everybody was anxious it should die out, but that it must die a natural death, and could not be strangled suddenly.

Sir JOHN TRELAWNY believed the disturbance among the dockyard men that had been referred to was caused by the infliction of corporal punishment upon a sailor within the view of the whole of the dockyard men, which was an unnecessary aggravation of the punishment.

Sir CHARLES NAPIER observed that he was desirous that corporal punishment should be done away with, but the greatest possible caution was required in allowing it to die out. After the statement of the noble Lord, the first step which the Admiralty should take would be to deprive all captains of the power of inflicting corporal punishment, and to delegate the trial of all offenders to a court-martial on board the ship. The time was come when, for the sake of discipline as well as for the comfort of the men, they should know that when any one of them committed a crime he would be regularly judged by a court-martial.

Sir JAMES ELPHINSTONE said, he understood the noble Lord the Secretary to the Admiralty to imply that coporal punishment would die a natural death from the *status* of the sailor being so raised as to render it unnecessary. It certainly was most objectionable that a man should be so punished at the fiat of a captain acting under an article of war. In the East India Company's Navy, in which he had served for sixteen years, discipline equal to that of the Royal Navy had been maintained for 200 years by a system of courts of inquiry, consisting of the four superior officers of the ship and the paymaster. All their proceedings were entered in a book for future reference; but although there was no legal power to inflict punishment, there had never been a case in which a jury would have convicted a captain for punishing a man who had been judged by a court of inquiry. It must not be imagined, however, that the introduction of a system of courts-martial on board all ships would lead to a cessation of flogging. At present the Admiralty bore hardly upon an officer who, getting a bad ship's company, was obliged to inflict more than usual punishment, and a bad mark was put against his name. He (Sir James Elphinstone) had heard of a ship in the Black Sea on board of which was a nest of London thieves, who, after a detective had been sent from England, were discovered, and twelve of them punished. The consequence was that the punishment list of the ship appeared to be excessive, and although the captain had only carried out the punishment under the orders of the admiral, he was reprimanded from home. In fact, he believed many captains hesitated to inflict punishment in cases where it was merited solely for fear of giving offence to the Admiralty. At the same time he was assured that there was a great objection among merchant seamen to enter the Royal Navy because the captains had power to inflict corporal punishment under an article of war. He might add that courts of inquiry were in use in the French Navy, and were found to work satisfactorily.

Motion *agreed to.*
House in Committee.

SUPPLY—CIVIL SERVICE ESTIMATES.

Mr. Massey in the Chair.

(In the Committee).

Motion made, and Question proposed,—

"That a sum, not exceeding £63,394, be granted to Her Majesty, to complete the sum necessary to defray the Expenses of the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c., to the 31st day of March, 1860."

Mr. CONINGHAM observed, that there was an increase upon the Estimates of last year, and there was an idea abroad that the scheme of moving the National Gallery to Kensington was to be revived. He believed that nearly every one agreed that the air of Trafalgar Square was not more destructive to pictures than that of Kensington. As to the question of space, the Directors of the National Gallery had only to remove the worthless pictures bought within the last few years, and there would be abundance of room. There was a kind of mysterious protection hanging over this matter, which paralysed the action of the House, and which required close watching. He would, therefore, appeal to the right hon. Gentleman the Chancellor of the Exchequer, to strike at high places and put a stop to this extravagance. He wished to add that it was owing to the Estimate coming on earlier than was expected that his Motion of Friday failed to find a seconder. At the same time he was surprised that the financial reformers in that House, who privately had expressed to him their concurrence in his Motion, should have allowed it to fall to the ground when he did make it.

MR. BLACKBURN said, that as the object of the Education Vote was so very useful, it was difficult to propose any reduction in it. He found, however, that the expenditure for the Museum at South Kensington, commonly called the "Brompton Boilers," was increasing every year; and, though he did not object to the national collections in the metropolis, such as the British Museum, yet he did not think that the majolica and the china ware which were put into the Kensington collection justified the expenditure upon them, and the nation would be all the better for it if an earthquake swallowed them up. He should, therefore, in order to mark the sense of the House that that expenditure ought to be diminished, move that the Vote be reduced by £1,000.

Motion made, and Question proposed,—

"That a sum, not exceeding £62,394, be granted to Her Majesty, to complete the sum necessary to defray the Expenses of the General Management of the Department of Science and Art, of the Schools throughout the Kingdom in connection with the Department, and of the Geological Surveys of Great Britain and Ireland, &c., to the 31st day of March, 1860."

THE CHANCELLOR OF THE EXCHEQUER said, that in reply to the hon. Member for Brighton (Mr. Coningham), he had to observe that, whatever rumours might be in circulation, no step whatever had been taken by the present Government to his knowledge on the subject of the removal of the National Gallery. The Government had given no authority for any such rumours; and the question must therefore be considered as standing precisely as it did two months ago. With regard to what had fallen from the hon. Member for Stirlingshire (Mr. Blackburn), he must say that he had not expected that the late Secretary to the Treasury would be ready to aid the present Government in cutting down the Estimates proposed by the late Government. However, the hon. Gentleman's assistance would be most welcome, if put in a practical form; but the Committee could do nothing useful by cutting down the Vote by £1,000, unless they knew what part of the expenditure it was intended to retrench. The hon. Member described the majolica and china wares as useless, and thought that if they were swallowed up by an earthquake the country would be all the better for it. He entirely differed from the hon. Member. They formed a very valuable collection, and he believed that on the whole the collection was a cheap one; and if the country must part with it, he would much rather than see it swallowed up by an earthquake sell it at Christie's, for the country would then get more than it gave for it. The collection told in industrial pursuits, and nothing was more marked than the revolution which had taken place in the last few years in the production of earthenware in all its forms. One could not pass a mere crockery shop in a country village without seeing that this outlay of public money had been most fertile in results. Though he could not go along with his hon. Friend in this his first attempt to reduce the Vote, he trusted the hon. Gentleman would not be discouraged in his economical efforts, and that he would in future be more specific in informing the Committee what was the particular retrenchment he desired.

MR. MONCKTON MILNES said, he thought the best answer that could be given to the Motion of the hon. Member for Stirlingshire was to state the simple fact that no less than 450,000 persons had visited the museum at Kensington, and its success had somewhat defeated the vaticinations of some people, whose only objection to the museum seemed to have been founded upon the remoteness of the locality. The wonderful patronage bestowed on the School of Art was the best answer to all strictures.

LORD HADDO said, he wished to call attention to the exhibition of nude living models in the Government Schools of Art. He had on one occasion been accidentally a witness of the mode of study pursued in

Government Schools of Art, and he felt bound to say that he had never witnessed a more painful or scandalous exhibition. He brought forward the subject with feelings of shame and disgust, but after what passed under his own observation, he could not conscientiously agree to the Vote for this object, unless the studies were placed under proper restrictions. As far as art was concerned, he believed it was the opinion of the best writers on the subject that the introduction of the voluptuous school had occasioned the decay of art and the decline of public taste in ancient Greece, and that of the age of Phidias and of Pericles not a single example of an undraped female figure was known to exist. It was quite unnecessary to give public aid to a mode of study which was evidently so attractive and remunerative as that to which he referred. The claims of morality were more important than those of art, and if the two were inconsistent the latter ought to give way. Seeing £100 put down in the Vote for what was called "professional assistance," and which he supposed meant the exhibition of the nude female figure, he moved that the Vote be reduced by the sum of £100.

Mr. LOWE said, that the term "professional assistance" did not refer to the models in question, but to occasional assistance in teaching. According to a return moved for by the noble Lord, of schools connected with the Department of Science and Art, where female models were employed, it appeared that there two such schools; but in one the model was always draped. In the other, the School of Art at Manchester, be believed the model was undraped, but that was a matter entirely under the management of the local committee. The Government money was strictly appropriated, and none of it was given for the payment of the nude female model.

Lord HADDO said, that in an unprinted return in the library there appeared a statement to the effect that under the Board of Manufactures in Scotland there was a school in which for years the nude female model had been exhibited five times in one week and four times in the next, making nine times a fortnight, during nine months in the year. He wished to know whether the public money would be given to this school at Edinburgh.

The CHANCELLOR of the EXCHEQUER said, that, as the Vice President of the Council for Education, had explained the principle on which the Government acted in giving aid to schools was that of direct and specific appropriation, which did not allow any discretion to the local authorities as to how the money granted should be spent; and whatever course these schools pursued at their own expense, the Government had taken care that the public money should not be appropriated to the purposes to which the noble Lord objected. If the school at Edinburgh were an exception to the rule which obtained with respect to other schools, he had no hesitation in saying it ought not to be an exception, and inquiries would be made with the view of putting that grant on the same footing as the others. He was quite sure that every one would feel that the public discussion of this question was not desirable on the grounds of public morality.

Mr. ADDERLEY said, that the school at Edinburgh where the naked figure was studied was not a part of any establishment aided by the Government, but was connected with the Royal Academy of Edinburgh, which had nothing whatever to do with any public grant. The grant for the school in Dublin where the naked figure was introdued was to cease; and, therefore, there only remained the school at Manchester which the Committee needed to consider. He did not think the answer given, that these grants were strictly appropriated, was perfectly satisfactory, because it might be said that the study of the naked figure might be put an end to by making the cessation of that study a condition of the grant. Every one would give credit to the noble Lord for his motives in bringing forward this subject, but the complete study of art could not be carried on without the exhibition of the nude figure. If such an exhibition were perverted to the purposes of indecency, of course, not a moment should be lost in withdrawing all share in the grant of public money from the establishment where it was so applied.

Mr. SPOONER considered the practice referred to highly objectionable, and one that did not benefit art. It was a most dangerous principle for the Government to support any institution for whose conduct it was not responsible. He would move that the grant to the Manchester school be wholly disallowed.

Mr. HENLEY said, he was sorry that this question had been raised, as he did not think the interests of public morality would be served by it. He thought the assurance given by the Government ought to be received as quite satisfactory, and, as Edinburgh would only receive the money for the present year, the Scotch would afterwards have all the morality of this business on their own hands. He was glad to hear the other night so satisfactory a statement as to the drawing department. The increase of numbers in the studio and the decrease of public expenditure in relation to the numbers (the pupils contributing largely to the expense) showed that that department was appreciated by the people; and there could be no doubt that a correct knowledge of drawing was of the greatest possible advantage to mechanics.

Sir JOHN PAXTON said, he could bear testimony to the admirable manner in which the Department of Science and Art was carried on. Much good was effected throughout the country by what was called the "travelling museum," which had been visited by a large number of persons. That the museum at South Kensington was attractive was proved by the vast numbers that visited it last year. Nevertheless, he thought there ought to be some limit to the expense, which had risen from £40,000 to £90,000; but he could not support the Amendment to deduct £1,000 from the Vote, as that could not be carried without deranging the Estimate.

Colonel SYKES said, he also could bear testimony to the advantages of the Kensington Museum, which no one could visit without having his mind elevated and his taste improved. Much strong feeling had been exhibited in the city he represented (Aberdeen) against the employment of nude models in the Schools of Art, but as the Estimates contained no specific grant for that purpose, he thought the Amendment ought to be withdrawn.

Sir JOHN TRELAWNY said, it would be a great benefit to the working classes if the Kensington Museum could be opened on Sunday afternoon. They would be kept out of gin palaces, and so far from religion being injured, it would be benefited.

Mr. JOHN LOCKE said, he also was in favour of throwing open the museum between the hours of divine service. Indeed he thought that the House and the Government had broken faith with the donor in not opening the Sheepshanks' collection on Sundays. Hampton Court was open on Sundays, as were also Kew Gardens. He would ask the House whether any inconvenience would ensue from that? Had those institutions not kept people from the gin palaces and other such places on the Lord's Day? During the hours that gin shops were open Kensington Museum ought to be open. If it were it would tend to the spread of morality and religion amongst the people.

Mr. BALL said, he did not see the connection between the two subjects—the employment of these models and the opening of public galleries on the Lord's Day, except so far as one vice generally led to another. He could, therefore, understand that those who were the advocates of the one would soon become the supporters of the other. He regretted to hear in that House any palliation of the employment of those figures, as he thought that the grant of public money to any institution where such an exhibition prevailed, although the grant might be appropriated to other purposes, was an indirect support to a practice tending to demoralize society.

Mr. LEFROY said, he had understood the Chancellor of the Exchequer to say that the Government would by no means countenance such exhibitions as those referred to by the noble Lord. He thought that assurance ought to satisfy the Committee, and he hoped that no division would be taken on the subject. As to the question of opening the public galleries on Sunday, he trusted that no further encroachments would be made on the sanctity of the Sabbath.

Mr. KINNAIRD remarked that it was not a time for discussing the question of nude figures, and he hoped the Motion would be withdrawn.

Mr. W. WILLIAMS said, great good had arisen from the Schools of Design. Formerly English manufacturers were void of taste. Of late that taste was vastly improved, owing to the great advantage and advancement of manufactures. In his opinion the public money had never been spent to a more beneficial or useful purpose.

Mr. MASSEY said, he would remind the Committee that the particular question under discussion was whether the Vote should be reduced by £1,000.

Mr. BLACKBURN said, he must protest against the collier of Newcastle and the weaver of Nottingham being called upon to pay for the amusement of Londoners. As the sense of the Committee appeared to be against him, however, he should not now press his Amendment.

Amendment by leave *withdrawn.*

Mr. DANBY SEYMOUR observed, that he did not at all agree with the hon. Member for Lambeth, that the Schools of Design had advanced art or improved taste in this country. He thought, on the contrary, that it would be better for art if it were entirely protected from Government interference. As to the question of opening museums on Sundays, he thought there were as many of the working classes opposed to such a proceeding as there were in its favour. In fact, it was a moot point at present. At the same time, it was worthy of consideration whether these collections could not be made more accessible to the working classes by opening them more frequently in the evening.

Mr. COWPER said, he would remind the hon. Member that the South Kensington Museum was open two nights a week. He wished, however, to call the attention of the right hon. Gentleman at the head of the department to the new buildings which would contain the Turner and Vernon Collections, and he hoped they would also be exhibited two evenings in the week. A scientific Commission had inquired into the question whether the artificial light had produced any ill effects upon the pictures in the Sheepshanks' collection, and they reported that it had not, the products of combustion being carried out of the room so completely as to avoid all injury to the paintings.

Mr. BRADY said, he must protest against the assertion that the working classes, or a majority of them, did not wish the public collections to be opened on a Sunday. After working from six in the morning till seven or eight at night, what time had they to visit museums or paintings except on Sundays? From his knowledge he was convinced that they were in favour of opening the museums on Sunday after two o'clock.

Mr. DARBY GRIFFITH said, he sympathized with the objects of those who supported the Sunday opening, but he thought the feeling of the country, certainly the religious feeling, was against any change in that respect.

Lord HADDO said, he would withdraw his Amendment.

Original Question put, and *agreed to.*

£169,468, Public Education in Ireland.

Mr. MAGUIRE*: Sir, before I come to the immediate subject of which I have given notice, I desire to offer some observations in reference to the general question which is now legitimately placed before the Committee. The question is one of the deepest interest, to the people of Ireland, of all ranks, classes, and creeds, and requires to be dealt with in a fair and impartial spirit. To understand the question rightly, it must be considered from two different points of view. If I were asked did I approve of the national system of education, as a great intellectual and educational machinery, which had done great good in Ireland, I should certainly say I did; for I must willingly and gratefully bear testimony to the fact, that the great mass of the youth of Ireland have been instructed by it in the rudiments of useful knowledge, and that hundreds of thousands of the very humblest class have received from it the benefits of a sound education. I am, therefore, a friend of the National system, viewing it as a mere educational machinery, and as affording the assistance of the State in aid of the voluntary efforts of the people. But if I be asked whether it has succeeded as a mixed system—that is, according to the principles on which it was originally founded—I must certainly say that it has not. Judged according to the principles on which it was founded, and according to the programme put forward in Lord Stanley's celebrated letter, I must say it has not only not been successful, but it has decidedly failed. I entertain the deepest sentiments of gratitude to those who initiated the system, and I give them credit for the best and most benevolent intentions. I believe that it has hitherto done enormous good, in developing the intelligence and raising the moral tone of the great bulk of the population; and I also believe that it is capable of doing much more good; but in order to do this, it must be restored to the confidence of those whose wishes and whose feelings I am more particularly interested in representing—and this can only be done by restoring it to its original principle, stringently enforced—namely, united secular and separate religious teaching. The confidence of the Catholic bishops, clergy, and people of Ireland has been considerably shaken by events which have lately occurred, and by a policy which seems to have been systematically pursued; and the Committee must remember that no class of the Irish community are so much interested in the well-working of the system of National education as the Catholics; for there are no less than 500,000 Catholic children at present on the roll, and they, in fact, constitute seven-eighths of the entire number educated—under the National Board. Therefore, two things are clear,—that the Catholics of Ireland have the greatest interest in the well-working of the system—and that unless it possess the confidence of the Catholic bishops and clergy, it cannot succeed in realising its objects, or in justifying the hopes of the friends of educational progress. One word as to its practical failure, as a mixed system. In three provinces of Ireland, it is absolutely denominational, owing to the fact that three provinces are almost wholly Catholic; and in Ulster, where, from a different state of things, it is necessarily mixed, it is found to work prejudicially to Catholic interests. If the system is to be maintained, it must be maintained rigidly and honestly, and the old rule, which was protective of the faith of the child, whether Catholic or Protestant, must be restored to its original stringency. By that rule, when honestly enforced, it was impossible that a Catholic child could be present at Protestant religious teaching, and the same rule prevented the Protestant or Presbyterian child from being present at Catholic teaching. Had that rule been maintained in its original stringency, the intentions of the founders of the system would have been carried out in those schools where children of different persuasions were educated under the same roof; and although a very considerable number of persons in Ireland prefer a system of entirely separate teaching—in which even the secular teaching is leavened with the religious element—there still would be, at this day, a general feeling of confidence in the National Board. But, Sir, I complain—and I only echo the complaint which is almost universally felt by the Catholics of Ireland—that the original rule has been much relaxed, to the injury of Catholic interests, by opening the door to those who are ever on the watch to assail the faith of their Catholic brethren; while with respect to Catholics themselves, the regulations—even the arbitrary regulations—of the Board, have been enforced most strictly, and in a manner calculated to inspire the patrons and managers of the Catholic schools with distrust and suspicion of the Board. While the rule is so relaxed, that Catholic children are allowed to be present, not merely at the reading of the Protestant Bible, but while the Bible is being expounded in a Protestant and therefore anti-Catholic spirit, the Catholic teachers of an exclusively Catholic school are immediately reprehended, if they allow a Catholic child to make the sign of the cross, or offer up a prayer when the clock strikes. I shall now mention a case in point, which will show the Committee how rigidly the patrons and managers of Catholic schools are dealt with. In one of the suburbs of Cork, a little outside the city, there is a small mound, of rather painful celebrity, which, up to a few years since, bore the ill-omened name of Gallows Green; it having been the spot on which executions formerly took place, previous to the erection of the new prison. Some benevolent persons conceived the idea of building a school on the very site where in former days the gibbet had been erected, and of employing the schoolmaster—a far better teacher than the hangman—to instruct the youth of the neighbourhood on the same place on which the hangman had once exercised his degrading functions. The Corporation gave the site; persons of all classes, and indeed of all creeds, liberally contributed; a beautiful building was soon completed; and the schools were established under the auspices of a religious body, whose members devote their lives to the praiseworthy object of giving a good and useful education to the children of the humblest and poorest class in the community. An application was made to the Board, demanding the assistance of the State in a work so much in consonance with the spirit of an enlightened age; and if ever there were a case in which that assistance ought to be granted by the Board, it was that which I describe. But the application was refused, and on two grounds, each of which was indicative of the hostile policy adopted towards the Catholic body. One ground was this—that since the rule of 1855, which the Board framed on no intelligible reason, no further grants could be given to religious orders—not "Jesuits," let me assure the late Attorney General for Ireland, but monks and nuns—religious communities of men and women, who, without pay or reward, devote all their time, all their talents, all their energies, to the holy task of developing the intellect, and strengthening and purifying the moral nature of the children of poverty. This was one ground, which, I assert, exhibits a reactionary policy, and one inimical to Catholic interests. The second ground was frivolous and absurd in the highest degree, because, in a Catholic school, founded in a Catholic city, and conducted by a Catholic community, there happened to be a cross erected or carved over the porch or in the wall—perhaps the work of a Catholic architect—therefore the assistance of the State was denied by the administrators of this national system of education. That, Sir, is a specimen of the unfairness of which Catholics justly complain. Look, then, at the other side of the picture. In a late report one of the head Inspectors, Mr. Keenan, stated that in the schools of Ulster, in Londonderry and Antrim, especially in Belfast, many thousands of Catholic children were present at Protestant or Presbyterian religious teaching—which was clearly a distinct violation of the principle on which the system was originally founded; and in alluding to that statement, I must express my regret that the respectable gentlemen who constitute the Board condescended the art of excising that paragraph from e report, and thus endeavoured to withold its important information from the rish public. The very fact that so many children of different religious faith were reeiving religious instruction at the same ime, and from the same teacher, showed how dangerously the rule was relaxed, and afforded a just ground for the want of confidence which was rapidly extending throughout all parts of Ireland, and was felt even by those who up to that time had been the fast friends of a system. I know, as a matter of fact, that many Catholic bishops who had advocated the system at first, because a better could not be found at the time, are beginning to lose all confidence in it, principally in consequence of its unfair administration. Fortunately, the Catholic Bishops are to meet in Dublin on the 2nd of next month, when they will take this most important subject into consideration, and as a Catholic, I sincerely hope that they, who are the legitimate guardians of the faith and morals of their flock, will suggest such alterations and amendments as, if adopted by the Government, may restore so vast an educational machinery to the confidence of the people of Ireland. The right hon. Gentleman, the late Attorney General, stated on a former evening, that there were over 3,000 schools not vested in the Board. But what does that fact prove? It proves that the dissatisfaction is felt; and it proves that the Catholic patrons of these schools, three or four thousand schools, were afraid to surrender their authority and control over their schools into the hands of the Commissioners—the result of which might be this, that if the patrons or managers did anything to excite the anger of the Commissioners, the Commissioners would at once send down one of their officers, who would turn the key in the lock, and close the door against them. The Commissioners are not disinclined to be arbitrary; and I rejoice that so many schools are still held in complete independence of the Commissioners. The want of confidence now existing, will continue until some radical change is made in the present administration of the system. The very constitution of the Board is unfair as respects Catholics, and considering that seven-eighths of the children are of the Catholic faith; for, while there are but five Catholic Commissioners, there are nine Protestant and Presbyterian Commissioners—which is the very reverse of a fair proportion, considering the numbers represented. When I alluded to this question last year, I insisted upon the necessity of having a paid Catholic Commissioner appointed—a man in whom the Catholic body could repose confidence—who would possess co-equal authority with Mr. M'Donald—against whom I do not desire to say anything. I repeat, there should be a resident Catholic Commissioner, who would be bound to attend at every meeting of the Board, and at the transaction of all business, and whose duty as well as whose feeling would compel him to watch over the interests and defend the rights of his Catholic brethren. But, Sir, if the original principles on which the system was founded cannot be restored, and if full satisfaction cannot be given on many important points, we must in that case come to the denominational system—a matter not to be decided upon with respect to Ireland without the greatest reflection. The denominational system, as carried out in England under the Privy Council, gives general satisfaction, because, while assisting voluntary efforts by the resources of the State, it affords the fullest independence to those whom it assists; but in applying such a system to Ireland, care should be taken to afford the most complete protection to the children of poor Catholic parents against the aggressive attempts of proselytising landlords. Hon. Gentlemen who insist upon greater freedom for Protestant and Presbyterian schools, may rest satisfied that Catholic vigilance will be on its guard against any attempt to confer new powers of mischief on those troublesome people who will not let others go to Heaven their own way. The subject is one of the gravest importance; and, Sir, I feel I would be unworthy of the position I occupy as a representative, of my standing in this House, or indeed of the age at which I have arrived, if, in a matter affecting the interests of millions of my countrymen, I rushed at a hasty and precipitate judgment. The subject is too grave to be trifled with; and I most earnestly trust that the result of the changes and modifications which are now inevitable, may be such as to restore confidence to those who are responsible for the education of the youth of Ireland. Having thus alluded—I trust in a fair and temperate spirit—to the general subject of National Education, I come to the specific object of my notice. Now, Sir, whatever the system upon which we are called upon to agree—whether it is to be united or denominational—one thing is certain—that there can be no real improvement in it until the condition of the teacher—upon whose faithful discharge of his high and important office the success of every educational system depends—is rendered more satisfactory than it is. Hon. Gentlemen in this country, and in Scotland, pay their labourers 12*s.* to 15*s.* a week, and in London the manufacturer or the builder will frequently pay as much as £1 a week for unskilled labour; but the instructors of youth in Ireland, who are expected to afford the rising generation of that country a sound, moral, as well as intellectual training, are paid, on an average, just 10*s.* a week. It is utterly impossible that such a state of things can be satisfactory to the teacher, or beneficial to the system; and I trust the Committee will bear with me while I demonstrate the truth of both these propositions. I ask the Committee to compare the position of the English teacher with that of his Irish brother. In England, the average income of the teacher under the Privy Council, is £90, from every source; and there is a house attached to each school for the teacher's residence. In Ireland, the average income of the teacher under the National Board, is £27, from every source, including the public grant, local contributions, and school fees; and not more than 5 per cent of the entire number of schools have residences attached to them for the teacher. With respect to houses for the teachers, I have here the opinion of the Commissioners, expressed in their Report to this House, so far back as the year 1835, that "each teacher should be furnished with apartments adjoining the school." I beg of hon. Gentlemen to follow me for a moment while I analyse this magnificent remuneration of £27 for an Irish schoolmaster, who is expected to be zealous and energetic in the discharge of his duties. Not having a house provided for him, he must provide himself with one; and if I put down £4 a year as the rent of this house, or I shall rather call it cabin, it will be admitted that that is a moderate sum. To render that dwelling habitable for the greater part of the year, fuel is indispensable; and for that I deduct the sum of £3 a year. As the national teacher is not bound by an obligation of celibacy, I may assume that he has a wife—that, in the midst of his misery, he has sought for the enjoyment of those domestic affections which are usually a solace and consolation to the rest of mankind; and I may further assume that he is blessed with a family of three children—a very moderate allowance, as my hon. Friends from Ireland will no doubt consider it. He, his wife, and his three children, must be clothed; and it is scarcely possible that the poorest or the scantiest raiment can be procured for much less than £4 in the twelvemonths. Well, that is £11 out of the £27—leaving, for all other purposes, including food, drink, and candle-light, the sum of £16 a year. Divide this £16 into weeks, and we have about 6*s.* a week for the support of five persons—that is, less than 1*s.* 2*d.* a week for the support of each member of that family—or 2*d.* a day for the maintenance of each! I ask hon. Gentlemen to imagine a matured man or woman, or a growing hungry child, fed at the rate of 2*d.* a day. This, without the slightest exaggeration, is the average condition of the national teacher who has a family to support. I ask, ought such a state of things to be suffered to continue? Look to the effect of this treatment upon the unfortunate teacher. What energy, what enthusiasm in his profession, can you expect from him? In the morning he leaves his miserable home, with its scanty table and its cheerless grate, for his school; and the recollection of the misery and want which he has left behind him, haunts him during his day's toil; and when he returns to that home in the evening, jaded and broken-spirited after his eight hours of hard drudgery, and finds nothing but discomfort and wretchedness before him—is it possible, I ask, that that man can devote himself to the necessary task of endeavouring to improve himself by study, and render himself more competent to teach, by adding to his professional knowledge? I now proceed to show in what manner this state of things has interfered with the efficiency of the National system, and thus been prejudicial to the public service. The position of the teachers has frequently elicited remonstrances from the Inspectors, who have, in the strongest manner, urged it on the attention of the Commissioners. Mr. E. S. Butler, in his Report for 1848, after alluding to the low scale of salaries, thus continues:—

> "With such scanty recources for the maintenance of his family, it is evident that the teacher can make no provision for old age or infirmity; and when he has become unfit for the efficient discharge of his duties, his removal from the school, without any superannuation, will deprive him of all means of support, or his continuance in it will be a burden to himself as well as an injury to the best interests of the locality. Were the Commissioners to grant retiring allowances to old and deserving teachers, such a painful alternative would not present itself."

Mr. M'Credy, in his Report for the same year, says:—

> "For to seek to secure for the public service, as merely secular teachers, men properly qualified, and therefore necessarily of large attainments, and to think at the same time to keep them at their present rate of income, I regard as aiming at things quite incompatible, and which cannot possibly long co-exist; and we must determine therefore either to ameliorate their condition, or resign ourselves to the melancholy alternative of seeing the best and ablest among them daily departing from our ranks."

The actual result of the miserable remuneration is, that the best and ablest of the teachers are daily driven away from the service of the National Board, and that their places are necessarily filled up with persons of inferior qualifications. Mr. Keenan, head Inspector, made the following important statement, in his Report for 1856;—

> "Although upwards of 5,000 teachers have been trained in our service, death, emigration, and change of employment have so thinned the ranks, that at present upwards of 2,000 of the 5,192 National schools in the country are in the hands of untrained teachers.

It may be said that a better system of training will obviate or remedy this evil; but Mr. William A. Hunter in his Report of 1856, thus conclusively deals with this question:—

> "I believe, however, the principal reason why we find so many candidates of inferior qualifications is to be found in the circumstances that the remuneration of the teachers is so low. The remedy for the evil of which I have been complaining, which naturally suggests itself, is that training schools should be supplied. This remedy has been tried; it has been found to be insufficient; and, paradoxical as it may appear, not only is the remedy insufficient, but the evil is, to some extent, augmented. There is no advantage whatever gained to the cause of education by giving a high training to men destined to the office of teaching so long as a corresponding remuneration is not secured to them for their services in this office.

I shall only quote one passage more, and it is from the Report of Dr. Newell, a gentleman with whom I have the pleasure to be personally acquainted. He uses the emphatic words:—

> In no way can the Commissioners, in my humble opinion, more effectually promote the interests of National education, than by rewarding amply the men who bear the toil and heat of the day, the humblest but most useful of all their agents, the rank and file of the service, the teachers of ordinary National schools.

Thus urged by their officers, who are personally conversant with the condition of the teachers, and whose recommendations were made with all the responsibility and authority of their official position, the Commissioners have at length resolved on doing something to meet the evil which they fully admit to exist, and to require being remedied. Dr. Newell insists, as I have shown, on the necessity of "rewarding amply" those who bear the toil and heat of the day. Have the Commissioners done this? The present Estimates do certainly provide for an increased rate of remuneration; and what do the Committee think that increased rate is? Four classes of teachers have their salaries raised £4 per annum; two other classes have been raised £2 per annum; and the two lower classes have been raised £1 per annum! Divided by the week, it would rate thus—about 1*s.* 7*d.* increase for the first class, 9*d.* increase for the second, and 4½*d.* for the third! Now, considering the nature of the evil to be dealt with, I ask is this to be called a sufficient remuneration for so important a body of men? The Commissioners have evidently only ventured on an experiment; and from the cautious manner in which they have attempted to deal with this great evil, so detrimental to the public service, one may appreciate the official tremor with which the heads of a department approach this House when asking for an increased grant. But, Sir, if I know anything of English and Scotch gentlemen, I feel certain there is not an hon. Member in this House who would object to vote, next year, a sum sufficient to meet the just demands of those whose cause I, this day, advocate. The late Attorney General for Ireland referred, on Friday night, to the prosecution of a national teacher for treason, and stated that other teachers were implicated in the Phœnix conspiracy. These, no doubt, are circumstances to be regretted; but what is more apt to generate discontent than inadequate remuneration for a man's services, and what more calculated to embitter a man's mind, and make him desire a change, than a feeling of despair, and a consciousness of ill treatment? The cases mentioned, however, are only mere exceptions to the general rule; but if you desire to retain the great body of the teachers, content with their position, faithful to their duties, and attached to the Government under which they live, you must pay them a sufficient salary for their labours—such a salary as will keep them above want and privation, and provide them at least with all the necessaries of life. Render the national teacher content with his position, and you inspire him with energy in his important duties; and not only will he become the promoter of enlightenment, but the best protector of the peace and order of the district in which he pursues his honourable avocations. Above all things, banish from his mind the idea that he is marked out for inferiority, nay, even for degradation, by proving to him that you estimate at its proper value, the office of him to whose care is entrusted the responsible task of developing the intellect and forming the mind of the youth of a country. I do not seek for anything extravagant; but I demand that justice may be done to the national teachers of Ireland, believing as I do, that the progress of education in that country would be greatly promoted by their being rendered content with their condition, which they can only be by being adequately remunerated for their services.

Mr. GEORGE said, he most heartily concurred in the object which the hon. Member for Dungarvan had advocated at the close of his speech. As long as the pay of the teacher was inadequate it would be impossible to get the best and most respectable men to perform the important duties of that office. And it was impossible to look at the scale of fees commencing at £46 and going downwards to £14 whithout at once seeing that they were grossly inadequate. The proposed increase was insufficient, and he could not believe that even £50 a year was enough for a man of intelligence and education. He thought, however, it would be necessary to institute an inquiry into the character and qualifications of those to whom increased salaries were to be paid, for it was a matter of notoriety, proved by sworn evidence in a court of justice, that seven or eight shoolmasters in the south of Ireland were implicated in a treasonable conspiracy against the Crown and the peace of the kingdom. It was true that that conspiracy had been denounced as a "dangerous and absurd" conspiracy; but he did not see how those terms could possibly be applicable at one and the same time. At the same time, however, that he advocated an increased remuneration for teachers he also recommended a better system of inspection and surveillance. He did not impute unfawful sentiments or acts to the great body, but that so many schoolmasters in the western part of the county of Cork should have been implicated in treasonable proceedings proved that the inspectors of the Board had not performed their duty. He was bound to add that there was a feeling in Ireland that the Board of Education, as at present constituted, did not satisfy the wants and wishes of the people, and did not possess the confidence of any class in Ireland. It certainly did not possess the confidence of one-third of the population of Ireland—the Protestants and Presbyterians, and he hoped the right hon. Gentleman opposite would consider whether the Board might not be strengthened by an infusion of new blood. For his own part he regretted that the plan of united education was regarded as impossible in Ireland. He did not entertain that opinion, for he thought the old Kildare Place Society had found out the secret of working such a system. The reading of the Bible without note or comment might have formed the basis of a united general education, on which each party might have engrafted separately their own peculiar doctrines. However, that was now a thing of the past, for it was now impossible to change the system which had been introduced by the National Board. He regretted that the High Protestant party and the Roman Catholics had thrown obstacles in the way of making the system of education more general, but he thought that even now a solution of the difficulty might be found in reading the Scriptures in school without any peculiar form of prayer, and at the same time allowing parents who objected to their children being present while the Scriptures were read to withdraw them from the school during such time.

Sir W. SOMERVILLE said, he did not rise to enter into the general question of education, which was, however, in a position demanding the utmost care and vigilance. He should be glad to see any alterations which would conciliate more generally the opinions of all classes, but what he now wished to do was to support the view taken by the hon. Member for Dungarvan with respect to the payment of teachers. Every one resident in Ireland must feel that those most essential officers were wretchedly underpaid. The success of the system almost wholly depended on this being remedied. The teachers suffered much from the difficulty of obtaining houses within a moderate distance. This inconvenience, however, might easily be remedied by Gentlemen resident in the neighbourhood. He trusted that the Secretary for Ireland would take this subject into serious consideration.

COLONEL DICKSON said, he wished to express his concurrence it what had fallen from the hon. Member for Dungarvan. For his part he was sick of hearing of conciliation and compromise, and the rival interests of Catholics and Protestants. There was only one way to conciliate Roman Catholics and Protestants, and that was, not by asking them to give up their sincere opinions, but by mixing them up in every possible way in secular affairs and keeping them separate in religious affairs. He could not see the policy of employing ill-paid agents to carry out a great object, and he trusted that after the clear case stated by the hon. Member for Dungarvan the House would take the matter into consideration.

LORD FERMOY said, he had listened with disappointment to the speech of the hon. and learned Member for Wexford, who had accused the national teachers, amounting to 6,000, of disloyalty, because three or four heedless men among them might have been disloyal. [Mr. GEORGE denied that he accused the whole body of disloyalty.] He doubted if that test were to be applied universally whether in a time of political excitement Trinity College itself would be found pure. In 1848 the most excited and disloyal effusions in the *Nation* newspaper were written by students of that College, and yet it would not be fair to accuse Trinity College of disloyalty on that account. To another speech, that of the hon. Member for Dungarvan, he had listened with pleasure. The education question in Ireland had arrived at what might be called a crisis, and both extremes in that country agreed in expressing a want of confidence in it. He thought the Protestant body committed a great mistake in seceding from the national system of education in Ireland, and if abuses had since crept into that system the seceders who turned their backs on it were more responsible than any one else for those abuses. Separate religious education and united secular education was a broad and clear principle, which might be adopted in Ireland, but the denominational system would never succeed in that country, for the Roman Catholic community were too poor to put down, as in England, a certain amount of money for every £1 given by the Government. There was good primary education and good college education in Ireland, but the endowments for the intermediate education had been most grossly misapplied. He did not think that the Roman Catholics would have confidence in the Board of Education without a reconstruction, and on all these grounds he believed that the whole question of Irish education must be taken up by the Government. The subject certainly was a difficult one, but it was not impossible that a solution might be found.

SIR EDWARD GROGAN said, he believed that the clear statement of the hon. Member for Dungarvan must have weight with the right hon. Gentleman the Secretary for Ireland. It was quite evident that things could not remain in their present state. He thought the hon. Gentleman right in demanding an increase of salary for the teachers of his own communion, but the Committee must not forget that not one shilling was allowed to the Protestant teachers of Protestant schools connected with education in Ireland. Was that right? The whole system must be recast, if it was desired to give satisfaction, for the Government could not go on excluding one large portion of the population from all the benefits of the national endowment.

MR. LABOUCHERE said, with respect to the question brought forward in so temperate and graceful a manner by the hon. Member for Dungarvan, the general feeling must be that it was most desirable that so important and useful a body of men as these schoolmasters should be properly paid. There was in the present Estimates a considerable increase for the schoolmasters, and should it not be found sufficient he trusted the Government would reconsider the matter. With regard to the important subject of the system of Irish education, he had heard Irish Members say that that system had come to such a state that it was absolutely necessary that great changes in it should be made. However that might be, he desired to express his ardent hope that hon. Members would approach this great subject to improve, if possible, but, at any rate, to preserve and perpetuate the system of education which had produced such beneficial effects on Ireland. He had always considered it a happy circumstance for Ireland that it possessed a system of instruction which, he thought, England might envy, and which had given to the youth of that nation the inestimable blessings of a good and substantial education. He trusted that no Irish Member would put that system in peril, though it might not be managed in the way he thought best. The denominational system applied to Ireland would constitute no adequate means of education. True, the present system had not worked, as a mixed system, in that general and universal manner intended by its projectors; but, at any rate, it had withdrawn the education of the people from that polemical state of hostility between two rival religions which would be re-established if the present National system should be destroyed. For this reason he was attached to the present system, which every year had been doing its work in educating the people and in purifying the moral atmosphere in Ireland. He believed that at the present moment there was a better feeling between Protestants and Catholics in Ireland, and that this system of education had a great deal to do with that matter. He was sure that his right hon. Friend the Secretary for Ireland would attend to this subject with the view of removing any well-founded objections, but with an earnest determination to secure to Ireland the continuance of that system of education which had been the best present England ever gave to Ireland, and the source of the greatest blessings to the latter country.

MR. CARDWELL said, in regard to the question so ably brought forward by the hon. Member for Dungarvan—the increase of the salaries of the teachers—it would be most agreeable to him, and, no doubt, it would have been so to his predecessor in office also, if the increase in those salaries could have been larger; but let the Committee consider the difficulty in which those who prepared this Estimate were placed. If any one in office wished to increase the salaries of persons falling within his department, there was another department to be consulted, namely, the Treasury, which, probably, taking a general view of the affairs of the country, would entertain a different opinion on the subject. He did not now wish to argue against the desirability of increasing the small stipends at present enjoyed by the teachers, and if, upon consideration, he should arrive at the conclusion that an increase should be made in them, he should be most happy to endeavour to persuade the Treasury to take the same view. It should be remembered, however, that the whole remuneration of the teachers was not voted in the Estimates; the allowance was merely in augmentation of the salary fixed by the managers of the schools. An hon. Member had stated that a considerable number of the teachers in these schools had been involved in treasonable practices; but the noble Lord the Member for Marylebone—an able and constant supporter of the National system in Ireland—had given a satisfactory answer to that statement. There were between 5,000 and 6,000 National school teachers in Ireland. Only six were charged with connection with the Phœnix conspiracy. Two were discharged by the magistrates on the ground that there was no proof against them; one was summoned as a witness; one was not in the pay of the Board; in the case of another his school was not under the Board, and one was convicted. He was quite sure, therefore, that no charge of disloyalty against the general body of the teachers could reasonably arise. With respect to the general question of education in Ireland, he must say that it was a question of the deepest interest, and to any suggestions calculated, in the opinion of those who made them, to render the National system more efficient as an instrument of utility, and to endear it to the Irish people, it would be his duty and pleasure to listen with attention and deference, come from what quarter they might. It was not his desire—quite the contrary—to weaken the impression that Her Majesty's Government were desirous of adhering to the utmost in their power to those beneficent principles on which this National system was founded and had flourished. There was hope that if those who dealt with this most important question with regard to the highest interests of Ireland dealt with it in that candid, temperate, and dispassionate spirit which had characterized the late discussions, the question might yet be satisfactorily settled.

It being ten minutes to four o'clock, the Chairman quitted the chair, and

House resumed.

Resolution to be reported *To-morrow.*

SUPPLY.

Order for Committee (Supply) read.

Motion made and Question proposed "That Mr. Speaker do now leave the chair."

MILITARY DEFENCES OF THE COLONIES.

MR. ADDERLEY said, he rose to call the attention of the House to the Military defences of the Colonies, and to the source from which those defences are supplied. In doing so his object was rather to elicit the opinion of the Government and what their intentions were, than to offer any lengthened observations of his own on the subject. The Return which he had moved for some time ago of the amount of forces in each of our Colonies, and of the amount of taxation which was borne by each for their support, had been laid upon the table of the House, but had not yet been circulated amongst hon. Members; he must, therefore, trust to other sources of information which were within his reach, and especially to a return which had been ordered on the Motion of the hon. and gallant Member for Aberdeen (Colonel Sykes). The question he wished to raise was one of some importance—it was how far this country should not only supply the colonists with troops, but defray the cost of those troops within their territories. Of course, if the House were prepared to continue the present system, they could do so; but he believed that many hon. Members were not acquainted with the nature of the case, and he wished them to consider whether it was the duty of this island not only to furnish out of its limited population the greater part of the Colonies with troops for their defence, but to provide, by heavy taxation, for the greater part of the cost which these troops occasioned. It seemed to him that the very reverse was the right principle, as well for the interest of the Colonies as for those of this country itself; for the principal result of the plan now adopted was not only that it was needlessly expensive, but that not one single colony of the British Empire was in a state of adequate defence and security in the event of war breaking out. England had of late years granted all her Colonies self-government, without calling upon them to satisfy the corollary—namely, by undertaking their own defence. England had given all her Colonies self-government freely and fully; nor in his opinion did she regret having done so. She had also abrogated those commercial laws by which she had once sought to promote the separate interests of her own people, and she now treated Imperial and colonial interests as one and the same. He would submit a few facts to the House. By the returns which had been moved for by the hon. and gallant Member for Aberdeen it appeared that the sum annually expended upon the military defence of the Colonies was not less than £3,500,000 sterling, whilst the amount paid by the Colonies for their local defence was only £337,000 per annum; in other words, the proportion of the expenditure borne by the colonists for the defence of their own territory was but one-tenth of the whole. Deducting, however, the cost of such merely military stations as Gibraltar, Malta, the Ionian Islands, the Bermudas, Ceylon, and other similar dependencies, they still demanded an expenditure of two millions and a half, whilst the sum contributed by such Colonies proper was only £220,000. The proportion, therefore, was the same; the Colonies proper paying, in round numbers, only one-tenth of the cost of their own defence—a very inadequate contribution to local defence indeed, for such colonies as Australia and Canada. But this was not all. There was another feature in the case. Of the inadequate force maintained for their defence only one-fourth was composed of local militia and police; the rest consisted entirely of Her Majesty's forces. Then, what was the total expenditure for defences per head of the population? The population of the United Kingdom was 30,000,000, and the total annual taxation for the purposes of defence was about £30,000,000, or £1 per head of the population. But he would take one of the Colonies, and one which told least for his argument. He would take Canada, which bore more taxation for the purpose than any of the other Colonies. Canada paid about £40,000 a year in military expenditure. Supposing the population of the colony was 2,000,000, a resident in this country paid fifty times as much as any resident in the colony. Moreover, wholly disproportioned as was the burden on the Colonies of their own defence, or their share in the defence of the empire, there was a still greater inequality between the distribution of the expenditure amongst the Colonies themselves; so absurdly unequal was it indeed that, he might almost say as a general rule, those who ought to pay the least paid most, and those who ought to pay the most paid least. Now, in his opinion, those which ought to pay least for their own defence were the purely military stations; yet, strange to say, these were the colonies which paid most, whilst Canada and the Cape of Good Hope had a considerable number of Queen's troops for which they paid nothing at all; and it was only by a recent arrangement that Australia had been called upon to contribute any portion of the cost of her defences. With regard to the last-mentioned colony he wished to observe that to his mind the despatch of Earl Grey, written in 1849, to Sir Charles Fitzroy, then Governor of New South Wales, laid down exactly the principle which ought to govern us in this matter. The country was indebted, however, to the right hon. Gentleman opposite (Mr. Labouchere) for having done his utmost, when Minister, to carry out that principle. The principle however had been but impectfectly carried out and as it were at haphazard. Thus the Australian colonies were not taxed equally amongst themselves, and Victoria, for no other reason that he could divine except that she was richer, was made to pay 50 per cent more than any other of those colonies. Now, this was a state of things which ought to be looked into as soon as possible. But he should not mind even this disproportion, or the absurd anomaly of the whole arrangements, if he were satisfied that they had the redeeming merit of giving security and proper defence for the Colonies. But what after all was the number of troops which the system provided for the defence of the Colonies. The number of troops at home at the present moment was about 110,000, including the militia. In India we had 85,000 of Her Majesty's troops in addition to the Native army; but in all our Colonies put together, our military stations and Colonies proper scattered as they were all over the globe, how many troops were there? Forty-two thousand; or, deducting those which were in Gibraltar, Malta, and the other purely military stations, the whole number of troops to garrison the vast colonies of Canada, Australia, South Africa, New Zealand, and all our Colonies proper, was 22,000 only. What were the consequences? In the first place the Colonies themselves were very insecure. In case of a general war any maritime nation that had anything like a power on, not to say command of, the seas—that was out of the question—would be able to embarrass us greatly in the defence of the Colonies, and perhaps it might be absolutely impossible not to lose some of them. Probably, too, a general war would oblige us to withdraw our troops and leave the Colonies entirely to their own defence. What then would be the result? How would they muster, at a moment's notice, any forces at all? Had not our whole system tended to crush everything like a military spirit in the colonists, to render them utterly incapable of defending themselves, to produce a sort of corrupt feeling in their minds of dependence upon the mother country, and to sacrifice all national spirit for the sake of mere pecuniary advantage? He wished to call the attention of the noble Lord the Foreign Secretary especially to this subject. In former times the noble Lord took considerable part, not only as Colonial Minister, but as an independent Member of the House, in debates upon the question, and with true patriotic English spirit, said, over and over again, that we could not withdraw troops from our Colonies, and that if we did not defend the Colonies other nations would be perfectly willing to take them from us. In his opinion the converse of that proposition would hold good, for if we continued to defend the Colonies as we now defended them we should most assuredly hand them over to foreign powers. He contended, in the first place, that the present expenditure was excessive, for surely that outlay must be excessive which led to no satisfactory result. With our troops scattered about the Colonies to no purpose, when a general war broke out we were embarrassed for want of them at home; and were obliged to resort to hiring German and Swiss legions. On occasion of the last war we all but got into a quarrel with the United States of America on the subject. We attempted an intrigue to enlist American mercenaries, whilst sending our own soldiers *vice versâ* to America. Another reason against the present mode of scattering the troops through the Colonies was that, after all, the Queen's troops were not the best adapted for the defence of the Colonies. The local militia were best acquainted with the nature of the country they had to defend, and were in all respects, as proved abundantly by the whole history of the American wars, the best adapted for that purpose, while we lost great numbers of our best soldiers year after year by sending them to climates where they died in hundreds. Then, so long as this system of expenditure was continued, the system of colonial defence was of the most wasteful kind ; for the more the troops that were sent the richer the colonists became ; the bribe of commissariat contracts was a constant premium on local disturbance, while no proper control could be exercised over them or over the expense of the military buildings. Let him take the case of that German Legion which, when disbanded at the close of the Russian war, was treated so much better than our own soldiers. They were sent over to South Africa as soldiers on half-pay at an expense of a quarter of a million of money, on the understanding that they were never to be placed on full pay unless there was a necessity for their employment. The Governor, however, found out that necessity as soon as they were landed, and they had been kept on full pay from that day to this, though the expense had never been audited in this country, nor had the Vote ever been taken in this House, but, probably, covered up in some balances had passed in silence without a check. What was the case with the Kaffir wars? Those wars had cost the country millions upon millions, and yet the Imperial Parliament had never seen a single item of their accounts, which in fact, had never left the colonial closets to this day. The despatch of Lord Grey, to which he had before alluded, was written at the time of the rebellion in New Zealand, and the object was to induce the Governor of New South Wales (Sir Charles Fitzroy) to send a regiment to New Zealand. In that despatch, which was dated in March, 1848, Lord Grey stated to that Governor how important it was that the colony should take upon itself its fair share of protection. He was of opinion, he said, that a colony which had made so much progress in wealth and population as that of New South Wales ought to bear its share of the expenditure for such purposes, and that the smallest contribution it could offer was to provide what additional means were necessary for its local defences. He suggested that the Governor should invite the gentlemen of the colony to form artillery corps, and he added that, as the colony was now in possession of representative institutions, and while all restrictions on their trade were removed, if they did not provide accommodation for the troops the troops would be removed. He (Mr. Adderley) believed that in the first instance the colonists were inclined to resist these propositions, but this significant postscript at the end of the despatch brought them to their senses, and the colonists now provided, as he had stated, 50 per cent of their own expenses. The waste incurred by the present system might be shown in another way. No one would argue that the mother country ought to provide for the internal police of the country. The only ground on which the presence of the soldiers in the Colonies could be justified was the protection they afforded them against foreign aggression; but he had already shown that as a defence against foreign aggression they were useless, and in point of fact they were only employed for the purposes of internal police. He was far from saying that the colonists ought to bear equally with residents in England their share of the military and naval expenditure, because for one reason they were not represented in this House. The body which controlled the policy of war ought of course to bear its chief cost. But the Colonies were often the cause of war, some by their very position were provocations of jealousies. At all events, there was no reason why they should not bear some share both of naval and military expenditure, and furnish men for the purpose of their own defence. His idea was that they should bear a share, he would not say how much, but one-tenth towards the military expenses within their own territories (they paid nothing towards the naval expenses) was clearly very far short of what they ought to contribute. Whatever England paid for colonial defence it should be a contribution towards the support of colonial troops, and not the contribution of a part of her own army which she wanted at home. He had never heard more than two objections to the course he now proposed. The one was, that the colonists would soon assert their entire independence if we ceased to send them troops for their defence. He thought that position would not bear argument, for what could be the value of that dependence upon us which was only to be maintained by nursing in the minds of our colonists a corrupt and enervating system of dependence? He believed that in point of fact there was no foundation for any such fear, for the spirit of loyalty never more pervaded the Colonies than since they had been somewhat more thrown on their own resources. This was a healthy loyalty—not an interested servility. Was there no proof of that during the Crimean war, when the Canadians offered to raise two regiments at their own expense? To this day he had never heard any good excuse why the War Minister had rejected the offer. They had further proofs of the patriotism of the Colonies in their readiness to assist both in purse and person towards the expenditure of the empire during the late Russian war. Contributions to the Patriotic Fund were obtained from Canada, Australia, and South Africa, showing the pride they felt in sharing in the defence of the empire. For his own part, he would rather see them independent of the mother country at once than retain their present corrupting dependence. If the time should ever come—and it might happen in their own lifetime—when a Member of the present Royal Family ruled over the country with the title and authority of the King of Canada, he was convinced that a much more healthy relation would exist between England and Canada than under the present system, which crippled the means of defence, broke down the martial spirit of the people, and burdened this country with unnecessary expenditure, wholly valueless even for its pretended object. The other objection he had heard raised was, that Canada was not able to defend itself. Now, he would meet that objection with only this one fact—that the intelligence, the wealth, and the population of Canada, were greater now than the intelligence, the wealth, and the population of the United States, at the time when they established their independence, not with the help, but against the resistance of this country. The militia of Canada had long ago proved its efficiency, and that Canada need not depend upon recruits from England for her own security. Imperial and financial, and military interests all demand that the local resources of the Colonies for their own defence should be unlocked. He would only appeal to the Government whether they had considered the present state of things, and if so, whether they thought it satisfactory, and if they did not, whether they were taking any steps with regard to it? If they were, he should be happy to leave the matter in their hands; but he wished also to give notice, if they were not, he should call the immediate attention of the House to a matter of this urgent importance not a day later than the commencement of next Session, and move for a Select Committee on the subject.

LORD ALFRED CHURCHILL said, he entirely concurred in the remarks of the right hon. Gentleman. The question of our colonial defences was one of the greatest importance, and there was no subject which more deserved the serious consideration of the House. He could state that the Australian colonies, with which he was best acquainted, viewed with the utmost alarm the presence of a large French fleet in the South Pacific Ocean. The French already had ten ships on the coast, and. as he understood, were about to send five more, while we had only five altogether, so that they would outnumber us by three to one. Then with regard to military force, there were only four regiments in the colonies—one in New South Wales, one in Van Diemen's Land, one in New Zealand, and one in Victoria. Of these regiments, the two on the mainland were employed in discharging the duties of internal police. While the Russian war was going on the regiment was removed from Melbourne to escort the gold from the diggings. He believed that if the matter were properly put to them the colonists would cheerfully come forward as a local militia for the purposes of their own defence. He thought this country ought to find them arms and ammunition, and they would find the men. He thought, also, if we were to send over blockships for the defence of the coasts that the colonists would man them, which he need not say would greatly increase the force for colonial defence. The position of the colonies in case of war ought to be seriously considered. In case of a war with Europe they would be sure to be attacked, and the colonists argue, that as they are no parties to the disturbance of the peace of Europe, it is hard that they should be attacked. The question arose, therefore, whether we were not bound either to afford them sufficient protection, or to give them their independence, so as to free them from any fear of attack from the enemies of England. He did not say that the time had come for the independence of the Colonies, nor did he believe that the colonists themselves wished it. There was a spirit of loyalty and patriotism in those colonies which had increased tenfold since they had received free government. He believed on a rough guess, that the colonies contributed £180,000 to the Patriotic Fund, and he knew that the colony of Tasmania had contributed at the rate of 10*s*. per head from the whole population. He instanced that to show the patriotic feeling towards this country that was still entertained. At any rate it was the duty of the mother country to place the defences of her Colonies in such a condition that they should be under no fear of any hostile attacks, or to leave them entirely free to adopt their own measures.

MR. MARSH said, the seaboard of the Australian colonies was so vast that it was almost impossible that the troops could be provided to defend it. Such troops would be of very little use against external attack, and nothing was so unlikely as internal trouble among a population so prosperous and wealthy, unless the Government were very badly administered indeed. At present nothing could exceed their loyalty, and he thought that the advantages which the Colonies derived from their connection with Great Britain were even greater than those derived from it by the latter, seeing that they had nothing to pay either for armaments or diplomacy. With regard to the naval forces on the Australian coast, the British Navy would be as necessary there for the protection of British commerce as if Australia were independent. Almost every ship in the ports of that colony belonged to British subjects, and was insured at Lloyd's or in some other part of the United Kingdom, so that the colony would not be the losers if those ships were captured. The naval force on that coast was, therefore, an imperial question, but he maintained that to the land defences a very different principle applied.

THE NATIONAL DEFENCES.

RESOLUTION.

SIR DE LACY EVANS said, he rose to move the Resolution of which he had given notice. He had given notice of that Motion fully a month back, and it was only at the instance of the Secretary of State for War that he had so long postponed bringing it forward.

MR. DANBY SEYMOUR (who had given notice that he would call the attention of the House to the undefended state of the coast between Weymouth and Southampton) said, he rose to order. He was unaware that the last subject had been disposed of, and as his notice was placed immediately afterwards on the paper he believed that he had precedence of the hon. and gallant General.

MR. SPEAKER said, the Motion before the House was that he should now leave the chair, and the hon. and gallant Officer, having risen to submit another Resolution, was rightly in possession of the House.

SIR DE LACY EVANS said, he should not trouble the House with many observations in support of his Motion, as he understood the Government intended to assent to the appointment of this Commission. It was hardly possible to mention at the present moment a subject of greater importance than the state of the national defences. Some persons thought the expenditure on this head was far too great, while others believed our means of defence were still far from sufficient. Great were the differences of opinion which existed, and he thought some attempt ought to be made to inquire into the real facts of the case. For his own part, he was sorry to say that he did not think this most important matter had been gone into by the present or by former Governments as it deserved to have been. The present Government, it was true, were hardly yet seated at their bureaux, and with regard to the late Ministry he quite concurred with the noble Lord the Secretary for Foreign Affairs in thinking that the bright spot in their administration had been their efforts to maintain the maritime forces of the country. He trusted that those exertions would be continued, and he believed this would be the case, for he had every confidence in the judgment and ability of the noble Duke now at the head of the Admiralty. Vast interests were concerned in this inquiry. The value of the commerce which every year went into or passed from our ports was, he believed, about £350,000,000; and if any disagreement arose between this and any foreign country, such as to endanger these vast interests, what terrible ruin must result to all classes of the population of England. To dwell on this momentous consideration would be superfluous. And as the right hon. Gentleman (Mr. Sidney Herbert) appeared disposed to assent to the Motion, it would, in fact, only be necessary now to submit it to the House:—

Amendment proposed,—

"To leave out from the word 'That,' to the end of the Question, in order to add the words 'in the opinion of this House, taking into consideration the relations existing between some of the great Military Powers of the Continent, it is advisable that a Commission be appointed consisting of Civilians and Military and Naval Officers, to inquire into and collect information concerning the present condition of our National Defences; to ascertain what improvements may be made therein in order to ensure the utmost efficiency combined with economy, and to report thereon to Her Majesty's Government instead thereof."

MR. DANBY SEYMOUR said, he then rose, pursuant to notice, to call the attention of the House to the undefended state of the coast between Weymouth and Southampton. While a large expenditure had been incurred by the Government for the construction of 30 line-of-battle ships, that portion of shores to which his Motion related—or rather that which lay between Weymouth and the Needles, which lay opposite to Cherbourg, and which in case of attack would be found the most accessible to an invading force, had been left without any adequate means of protection. It had not, however, been left thus undefended in former times, for he found on reference to a map, which bore the date of 1765, that no less than five or six batteries were then erected along that part of the coast. As an illustration of the danger which might arise from leaving things in their present state, he might mention that while Pool, the borough which he had the honour to represent, was sixty miles from Cherbourg, it was at a distance of thirty miles from Weymouth, and that in case of a hostile attack the fleet which might be situated at the latter place could hardly be brought up in sufficient time to be of much service in keeping off the invading force. He should, therefore, urge the Government to turn their attention to the subject, and to allay, if possible, any feeling of panic which might have arisen in the public mind by placing themselves in a position to proclaim to the country that they were prepared for every emergency. He might add, that it seemed to him desirable that inasmuch as it was difficult to establish rifle corps in maritime towns gunboats should be employed along the coast—a large number might, for instance, be drafted from Portsmouth to the point in question—in working the rifled cannon placed on board, which as well as batteries erected at different points on the shore, volunteers from these towns, who would not be found disposed to join rifle corps, might with advantage be employed. Nor would the gunboats themselves be worse in their condition from being kept in the water than hauled upon slips as at present. He should, above all things, recommend his right hon. Friend the Secretary at War not to rest satisfied with imperfect information on so important a question as the state of our defences. Hon. Members were no doubt aware that some time ago the Government of Belgium stated that the defences of Antwerp were in a perfectly efficient condition, and that they had gone to great expense to attain that object. It had, however, turned out, when the matter had been sifted before a Committee, which had been moved for by a member of the Belgian Chamber, that all the good will which the Government had exhibited had not availed to secure the end which they had in view, and which they imagined they had accomplished. It was, therefore, he maintained, the duty of his right hon. Friend to take nothing on trust, but to examine into the subject for himself, and to see that no part of the country was left without adequate means of defence.

MR. SIDNEY HERBERT: I have got, Sir, a somewhat multifarious number of questions to which to reply. I shall commence by answering those which have been put to me by my right hon. Friend opposite (Mr. Adderley), in the greater portion of whose observations I must say I entirely concur. My attention was some time ago called to the subject of the payments by different colonies towards their own defence, and I confess it is scarcely possible to conceive anything more capricious or, I may say, unreasonable than the varying proportions in which those payments are made. The Government of the mother country sends troops to the Colonies for the purposes either of defence or of internal police. So far as the first object is concerned, they have some sort of claim to ask her to bear a share of their military expenditure, inasmuch as she arrogates to herself the settlement of all questions of peace and war, and their interests may suffer as the result of the policy which she chooses to pursue. That is a doctrine which, however, may be pushed too far, because if the prospects of a colony are injured by war she enjoys all the advantages of being placed under the protection of a powerful State in time of peace. These observations apply not only to colonies which have great wealth, but to those garrisons which belong to us in the Mediterranean and whose strength makes their possession coveted by other nations. Now, with respect to the question of the maintenance of troops in our Colonies for the purposes of police, I must say I think such a course is one which is indefensible. We at home pay our military and police expenditure: the one out of the proceeds of Imperial taxation, the other out of local rates. That is a distinction which ought, in my opinion, to be as far as possible maintained in our Colonies. The question, however, is beset with difficulties, but, before I proceed to state the views of the Government with respect to it, I shall quote, for the information of the House, from a document which I hold in my hand, the proportion in which the mother country and the Colonies pay for the defence of the latter. In the case of the North American colonies, £441,539 are paid by Great Britain, and only £21,811 by these colonies; the greater portion of that sum being paid by Canada. For Australia the Home Government pays £228,000, the colonies themselves £156,000, to the payment of which amount Victoria is the principal contributor. We have, however, entered into arrangements with them which I think ought to be extended to other colonies, and in accordance with which the colonists pay a certain allowance out of their local funds, and confer several advantages on the troops in the way of procuring provisons for four companies; their agreement being to maintain entirely at their own charge any troops which they may require above that number. The result is that we do not receive from those colonists such pressing solicitations for an increase of military strength as we do from other quarters, while the relations which exist between them and us are placed upon a much sounder footing. For our colonies in the Mediterranean we pay £958,000, while there is a sum of £30,560 expended by them; but then it must be remembered that, being great military garrisons, it is of the utmost importance for our interests that their defence should be adequately provided for. On the West Indies we lay out £432,000, while the colonists themselves pay not more than £6,000. In our colonies in the East, Mauritius, and Hong Kong, our expenditure for defensive purposes is £280,000, while they expended £91,000. The Cape of Good Hope cost us £635,000, while a sum of £29,000 is all that the colonists contribute. The last mentioned is, I must say, one of the strongest instances of that disproportion to which I have referred. My right hon. Friend, in alluding to the Cape of Good Hope, spoke of the German Legion which was sent out there, and of which he says he has for a long time heard nothing. I am sorry to have to state that I cannot say as much, for the War Department has of late had repeated solicitations addressed to it in connection with that body. I hold in my hand a statement which I have received from the Treasury, and which involves a claim for a large sum of money, inasmuch as Sir G. Grey has kept the troops of the German Legion in pay from the time of their arrival in the Cape of Good Hope until the present day. A considerable portion of those troops, it is true, volunteered to go to India, but a large number of them was left behind, and the expense of the maintenance of such a body is very great. Without, however, going further into this point, I shall state to the right hon. Gentleman the course we have taken. It is quite true that if there were only one party to the bargain, we by an Imperial Act could easily overrule the intentions and feelings of the colonists by laying down some law which would settle once for all the proportions upon which this expenditure for military purposes should be based. But this must be made matter of negotiation and mutual understanding between the mother country and the several colonies. They have the great advantage of distance and the great advantage of passive resistance, and therefore I do not feel very sanguine of an early and effective inroad upon the system which now exists. But it ought, nevertheless, not to be neglected, and at the present moment there is a Committee sitting upon the subject, consisting of Mr. G. A. Hamilton (Treasury), Mr. Godly, who is well known to my hon. Friend, and Mr. T. F. Elliot (Colonial Office). The instructions which have been given to those gentlemen are, to ascertain the gross expenses of military defences for the five years 1853–7 inclusive; the proportions borne by colonial Governments; in what colonies they are necessary for Imperial or colonial purposes or both; to lay down the principle upon which the expenses ought to be apportioned; and to state the best mode of carrying that object into effect. As I have before said, the Government are most anxious to pursue this course. The Duke of Newcastle enters warmly into the matter; but, I repeat, that owing to the distance and the great power of resistance, I am not sanguine as to an early or uniform settlement, although I am sure every exertion will be made to place the matter upon a more satisfactory footing than at present. With respect to the questions raised by my hon. and gallant Friend (Sir De Lacy Evans) and by the hon. Member for Poole (Mr. Danby Seymour), let me say, with regard to the last, that the subject of the defence in case of attack of the coast of England has not escaped the notice of the Government. My predecessor appointed committees of officers to make a minute examination of the whole coast, and those

Engineer officers prepared plans with great accuracy and great skill. We thought it most important that those officers should be made thoroughly familiar with the topographical and physical nature of the coast of Great Britain, but I am afraid it is impossible to attempt to fortify as against an enemy every portion of the whole coast. You might by attempting it fritter away an enormous sum of money. To place batteries and guns, with no men to serve the guns, would place the country in a worse position than if you did nothing at all. I only hope that the House and every individual Member will recollect that it is impossible the whole of the sea-board can be put in a state of fortification, and that the attention of the Government must, in the first instance at any rate, be turned to the defence of those great ports and arsenals in which we have all our materials of war, in which we have the means of reproducing materials of war, and which, I am sorry to say, are not in that forward state of defence at the present moment which I could wish. The gallant Officer proposes a Resolution:—

> "That, in the opinion of this House, taking into consideration the relations existing between some of the great Military Powers of the Continent, it is advisable that a Commission be appointed, consisting of Civilians and Military and Naval Officers, to inquire into and collect information concerning the present condition of our National Defences; to ascertain what improvements may be made therein in order to insure the utmost efficiency combined with economy; and to report thereon to Her Majesty's Government."

I can offer the gallant Officer the substance of his Motion, but not the Motion itself. If you pass this Resolution, in the first place there is an end of Supply, and then, again, I rather object to the words which point to the relations existing between some of the great military Powers of the Continent. From the first moment when I came into office I turned my attention to the subject, which is one of considerable anxiety to the Government, and I mentioned, during the discussion on the Estimates, that it appeared that the system by which we were proceeding with certain works was a very doubtful policy, as for any effectual purpose of defence they ought to be finished as rapidly as possible. Either the gallant Officer or the hon. Member said he thought the War Department had not paid attention to the subject, and had not confidence in the scientific advice which they had at their command. Now, I find that these plans of defence of the arsenals and dockyards show an amount of care, minuteness, and skill which does great credit to the Engineer officers, and it is not that the Government have the slightest distrust in the skill and ability of those officers that they have come to the conclusion to appoint a mixed Commission of civilians and naval and military officers—not too large a number, but a few whose names will carry weight with the public—to whom to submit the plans which we have for these fortifications, asking them to reconsider them, and give us advice as to which should be first proceeded with, and to suggest any alterations or extensions which they may think necessary, but not, of course, to start a fresh theory, and render useless the expenditure of public money already incurred. I believe that is necessary, and it is necessary for this reason—that if this House is to be called upon to vote very large sums, or if the Government think fit to apply very large sums voted by the House, it is essential that public confidence should be obtained, and that the country should be perfectly satisfied that the works on which the expenditure is to be made have been perfectly well considered, and will be adequate as far as possible for the purpose intended. It is therefore the intention of the Government to appoint a Commission such as is described by the gallant Officer. I trust that in a few days, when the names come out, they will be deemed guarantees to the public that the Government is honestly pledged to getting the best advice in their power as to the plans upon which great works are to be carried on at a more rapid pace than has hitherto been the case, so that when completed the country may feel confidence that our arsenals, which contain the means of reproduction of great maritime and military defences, are in such a state that we need be under no alarm of a successful attack by any enemy under any circumstances whatever.

MR. HALIBURTON said, he had to thank the right hon. Gentleman the Secretary for War for the manner in which he had treated the Motion of the right hon. Gentleman below him (Mr. Adderley). He was not aware when he read the notice what was the particular purport of the Motion, on account of the manner in which it was worded, and he confessed that he listened to the observations of the right hon. Gentleman with a great deal of anxiety as to whether he understood it rightly, and whether the right hon. Gentleman would be misunderstood on the other side of the water. The right hon. Gentleman, as far as he could gather from his observations, appeared to question the expediency of having troops in British North America. He hoped he might be permitted to make a few remarks upon that subject, because the whole of his life had been spent there. It was said that the colonists ought to defend themselves. Be it so. It was not the first time they had done it, and they were able to do it again. But at the same time there was a reciprocal duty as well as a mutual interest—on the one part, loyal and obedient attachment to this country, and on the other protection. It was said that the militia of the colony ought to be organized. He was proud to say that it had been organized, and in the war of 1812 with the United States, with very trifling assistance from this country, for her troops were wanted elsewhere, the militia of Canada turned out, and the whole force of the United States was not sufficient to make any impression upon them. Again, when Lord Seaton by that very extraordinary manner in which he governed Canada produced rebellion—not in Nova Scotia, for in Nova Scotia there never was rebellion, but in other parts—it was the native troops, under the command of Sir A. M'Nab and Sir F. Bond Head, who drove out the Yankee sympathizers and the French rebels. The same thing could be done again, but the very knowledge that England would protect the country in time of need was a protection of itself. If it were announced that the troops would be withdrawn, and the colonies of British North America must protect themselves, it would lead to trouble with their neighbours; while the very knowledge that a great country like England, with a large army and a powerful fleet, was willing to take them under its wing, was a protection against the most powerful neighbour they had to fear, if fear were not a word inapplicable to the case. If the troops were withdrawn, what did they want with the colonies? Let them give the colonies under those circumstances their independence. They did not ask or want it, and would receive it with regret; but the colonists were men of English extraction, and would say, "If you are come to the condition of Rome, and you must gather your legions from the extremities of your empire, give us our independence and leave us, and we will say God speed and protect you as in the olden time." But when hon. Members talked of the militia and governing the colonies, England did not govern, but misgoverned them. England did not manage their affairs, but mismanaged them. What had occurred with regard to the militia within the last three or four years? Why, that a boy of 15 or 16 years of age, at Eton or one of the public schools, was made a colonel of the militia of Nova Scotia. Was the appointment of a boy, who was learning his Latin and Greek grammar in this country, over the heads of old men in the colony, because it would give the boy rank hereafter, likely to encourage the militia to turn out? In his opinion, it was turning the whole thing into ridicule. These were the blessings they enjoyed and the encouragement they received. What had the colonies to do with an European war? Their ships were plundered on the high seas, their sailors were impressed in their towns, and the enemy's ships were in all their coves and creeks, watching for their homeward-bound ships. The quarrel was not one of theirs. When this country undertook to govern the colonies, and when it made laws suitable for itself, well and good; but Parliament ought, at least, to ask the colonies whether the same laws were suited to their condition. When they gave to America the coasting trade of this country, what right had they to include in their gift the coasting trade of any of the Colonies—what right had they to permit the Americans to extend under the term "coasting trade," the trade from Boston, round South America, to California? Yet that was one of their acts, and it was one that had almost ruined the shipping of the North American colonies. Look at the extent and feeling of those colonies. They contained 4,000,000 intelligent, loyal and patriotic men. They made an offer of two regiments for the Crimea, and one of their regiments was now in this country. The sympathies of the colonies were still further evinced in the legislative grants and subscriptions for the Patriotic Fund and the Indian Mutiny Fund, of the distribution of which latter fund he was one of the managers. He did not recollect all the figures, but from the Australian colonies alone £70,000 were received in subscriptions and grants. These were circumstances on which to found the consideration that if Great Britain were to withdraw her legions the colonies ought to have fair notice. He was glad that the right hon. Gentleman had given so proper an answer to the question put to him, and that his answer would go out to the colonies. If this country were to withdraw her troops, let there be an understanding how and when they were to be withdrawn. He had had the satisfaction of bringing before the late Secretary of the Colonies a plan by which it would not be necessary to keep a single soldier in Canada. If that chain of railways which ran from Halifax to New Brunswick were completed by the construction of a small portion to Quebec, in twelve days, and at any season of the year, the Government of this country could send as many troops as they liked to Canada, and they need not keep a single soldier in that country. He was glad the discussion had taken this turn, and he was gratified that the Secretary for War had answered the question which had been put to him in so conciliatory and statesmanlike a manner.

Mr. HORSMAN said, he had heard with great satisfaction that the Secretary of State for War assented to some extent to his hon. and gallant Friend's proposal for a Commission. For if that House were called on to vote a large sum of money they would do it all the more readily if its expenditure were recommended by a Commission that commanded public confidence. He wished therefore to suggest that the official element should be introduced in this Commission as sparingly as possible, if even it were not excluded altogether, since one of its most important functions would be to review the proceedings that had already taken place under official authority. It would also be desirable to secure an early report, and a limit ought, he thought, to be put to the period at which the first report should be made. He did not see why the first report—not the final report, but embodying the main recommendations of the Commission—should not be made within three months. He agreed with the right hon. Gentleman that it was out of the question to attempt to fortify our coasts so as to prevent an enemy from landing. The only fortifications required were those that were necessary for the protection of our ships and arsenals. To build batteries along the coast for the enemy to land under was absurd. There was no doubt an enemy possessed greater facilities for landing and for the transport and embarkation of troops than he ever had before, and there were many points along the coast on which an enemy would have no great difficulty in landing. He agreed with General Shaw Kennedy that we should not be safe until we had such an internal force upon our own soil as would defeat and destroy any enemy that might gain a landing. If that were so, the Commission about to be appointed ought to recommend what amount of internal land force we ought always to maintain—how many troops of the line, how many militia, and how many volunteers we required, so as to be always in a state of perfect security. For a nation containing 3,000,000 or 4,000,000 male adults to be in a perpetual panic of an invasion of 100,000 or 200,000 men was a scandal and a burlesque. We ought always to be in such a condition that any army that was likely to obtain a landing would be certain to be defeated and destroyed. The Commission might make a valuable report, which would facilitate the proceedings of the Government in that House, and carry more weight than any statements on mere departmental authority that might be made in Committee of Supply.

Mr. CHICHESTER FORTESCUE said, he hoped that the return alluded to by the right hon. Gentleman the Member for North Staffordshire (Mr. Adderley), which was rather a complicated one, would be laid on the table on Friday. The noble Duke at the head of the Colonial Office would, he was confident, give his best consideration to the views expressed by the right hon. Gentleman opposite; but there was another side to the question, as they had heard from the distinguished colonist whom they were all glad to see in the House, and who was a brilliant representative of the truly British spirit of the colonial subjects of this country. He thought that his right hon. Friend (Mr. S. Herbert) had struck a fair balance between imperial views and the colonial side of the question, which had been so candidly and temperately stated by the hon. and learned Gentleman (Mr. Haliburton). It must be remembered that the Home Government had to deal with a great number of communities scattered all over the world, differing in age, in means, resources, in the liability to attack, and the necessity for defence, and it was, therefore, impossible to adopt one uniform system in dealing with them all. In many of these cases, too, the Home Government had not to deal with colonies subject to their absolute authority, but had to negotiate with Governments possessing representative institutions and capable of acting in a great degree independently of the Home Government. The only mode in which the Imperial Government could in some cases act was by refusing to send British troops to particular colonies, or by saying they would withdraw the troops now there unless the colony paid for their maintenance. He did not deny, however, that there were occasions on which that power of withdrawal should be put in force by the British Minister for the Colonies; but it was no trivial responsibility to undertake. He could not therefore promise that that power would be used in any general way. At the same time, great weight would be given to the views which had been put forward, and the Government would endeavour to alter the heavy balance which existed on the side of the mother country in respect of the outlay incurred upon the Colonies.

Lord ELCHO said, he was glad to hear the Government intended to appoint a Commission of the kind indicated by his right hon. Friend the Secretary for War; but some doubt appeared to exist in the House as to the extent of the powers to be conferred upon it. He hoped that the Commission contemplated would have for its object an inquiry not merely into the stone and mortar question, but into the whole subject of the national defences—to determine the number of men, both of the regular army and the militia, which it was essential we should have in this country as a permanent force, available at all times; what was the number of ships and sailors it was necessary to maintain as a permanent available naval force; and what fortifications were indispensably requisite for the defence of the kingdom. Such was the scope of the Motion of his hon. and gallant Friend (Sir De Lacy Evans) and he thought it desirable that it should be so extended that we should no longer be liable, as we were now, to a constantly recurring state of panic, which was fast becoming chronic, and which was unworthy a great nation. We ought, on the contrary, to be in a position which would render us independent alike of the friendship or the enmity of all or any of the potentates of Europe. We ought to know, as Englishmen, that whatever steps were necessary to obtain the security of this country had been adopted; and he thought that the appointment of a Commission to inquire into these matters would be the best means to attain that object. If that Commission should report that a certain number of men, a certain number of ships, and certain military organizations, were required for this purpose, he hoped that the House, when it came to consider the Estimates, would not seek to reduce them, but merely be watchful that the money which they voted was well applied to the purposes of the country. That object he conceived would be better attained by the Commission proposed by his hon. and gallant Friend than that contemplated by the Government.

Lord HARRY VANE said, he also approved of the appointment of the Commission, but he thought it was impossible that such a Commission could determine the exact number of troops, militia, ships, or artillery necessary for the defence of this country, inasmuch as the defensive force ought always to be proportioned to the force of other countries from time to time, and have regard to the varying state of European politics. Nor could he agree in the notion that there was a "chronic state of panic" in England; at the same time there was no doubt a feeling that because of the great military power existing on the Continent it was necessary that this country should be placed in such a state that if any state of circumstances of an adverse nature should arise, rendering remonstrances on the part of England necessary, she should be able to make those remonstrances with due weight and without any apprehension as to their result. He hoped the Commission contemplated by the Government would be so constituted as to carry weight in the country as well among military men as civilians, and that they would not incur expenditure of a kind calculated rather to retard the work of national defence than to carry it out on a satisfactory footing.

Sir DE LACY EVANS said, he wished to remind the House that the word fortification did not occur in his Motion. Of course he quite felt the total absurdity of any attempt to fortify the whole of the English coast; but he thought the Commission should take a comprehensive view of all that was necessary to our national defences.

Viscount PALMERSTON: Whatever may be the views of the House as to the constitution of the Commission announced by my right hon. Friend, its appointment is a question of very great importance. I do not think there will be any advantage in adding to its inquiries, so as to make them of a larger character than those which have been indicated by my right hon. Friend. In the first place, it would so extend the range of the inquiries as to postpone the report for a period longer than is desirable, and at the same time would embarrass the proceedings of the Commission. I hope, therefore, that my hon. and gallant Friend (Sir De Lacy Evans) will be satisfied with the statement which has been made by my right hon. Friend, and will not press his Motion to a division, seeing that his object is accomplished by the course proposed by the Government. I am anxious to state, that in my opinion the proposal of my right hon. Friend (Mr. Horsman)—that the Commission should be instructed to enter upon a larger range of inquiry, and to consider what should be the amount of the naval and military force necessary for the defence of this country—is an inquiry of a totally different nature from that to which the Commission of my right hon. Friend is intended to apply; and, moreover, that it is not a proper subject for inquiry by Commission. The inquiries of the Commission will be directed to the permanent works which are essential and necessary for the defence of the different dockyards and other places of a like nature. These once ascertained, the works when constructed will form part of the permanent defences of the country, and as such will not vary; but the inquiry suggested as to the proper amount of naval and military force to be kept up, is a matter which must depend upon the Government of the day, and for which they are responsible. This must necessarily vary from year to year, according to the varying circumstances of this and other countries. This inquiry differs essentially from that as to the permanent works. I hope, therefore, that the right hon. Gentleman will not embarrass our proceedings by pressing his views upon the subject. The inquiry has necessarily occupied the attention of the Government, but the result arrived at in one year may differ considerably from that which may be come to in another.

MR. AYRTON said, he could not agree that the Commission proposed by the Government would in the least meet the views of the gallant Officer (Sir De Lacy Evans). The inquiry into the best mode of fortifying the dockyards was, from its very nature, but a small portion of the great question which the gallant Officer wished to have investigated, and involved merely an engineering investigation as to the best mode of defending particular places. The corps of engineers was maintained expressly for the purpose of designing and carrying out a system of inland fortification, and he could not conceive what necessity existed for the appointment of a special Commission with regard to a subject which the engineers, who were maintained at such great expense, were peculiarly competent to deal with. What the gallant General desired was the appointment of a Commission to consider the whole system of defence proposed for this country, not with regard to the maintenance of the naval and military services for purposes of aggressive war, for the strength of these must depend on the circumstances under which the war was to be carried on. The point which the country was interested in knowing, and which the gallant General desired to elicit by this investigation, was the extent at which the ordinary defences of the country in time of peace were to be fixed—and, likewise, that some assurance might be given that the military and naval preparations were such as would protect them against any sudden invasion from abroad. In short, it was desired to know what ought to be the *minimum* force maintained in time of peace, and what should be the nature of that *minimum* force. Unfortunately the strength and efficiency of the army had heretofore been considered as separate and distinct from that of the navy; whereas they were in fact so closely connected that the question of the *minimum* of the one necessarily affected the other. They should therefore be treated as one in regard to the primary object for which they were maintained. The object on which the people of this country desired first to be satisfied, when they turned their minds to the subject of the defences, was as to the sufficiency of the fleet to protect them from invasion. Those who were peculiarly competent to inform them, such as the gallant Admiral (Sir Charles Napier), asserted that the navy was entirely insufficient to defend this country against aggression from a neighbouring State. The object of this Commission with regard to the navy would be to ascertain the minimum that could with safety be maintained both in ships and in men. Some persons entertained the idea that an abundant supply of seamen was always to be obtained in time of need from the great commercial marine, and that they might therefore have in the navy great numbers of boys and comparatively few able seamen; but if they looked a little farther it would perhaps be found that it would be exceedingly difficult in case of war to withdraw from the mercantile marine any very large supply of sailors without so entirely disarranging that service, and creating such a grievance to the commercial interests that an outcry would be raised which would render it almost impracticable to man the navy at the expense of the commercial marine. The gallant Admiral therefore had raised the question how far it was expedient that the sailors who were maintained in time of peace should be all able-bodied seamen—thus affording a basis which could at any time be increased by boys and less efficient sailors; and he confessed that he had never heard that question satisfactorily answered. It was always avoided by the Admiralty, and never dealt with in a satisfactory manner. It was, however, a question peculiarly fitted for the consideration of such a Commission as that proposed. In the same way there were many questions connected with the Army that called for inquiry, and these should also be intrusted to the consideration of this Commission. Thus it was most desirable to inquire whether, independent of the Navy, the Army was capable of being placed on a footing which would repel invasion. Where, he would ask, was the utility of maintaining a force of 80,000 men if they were liable to have 200,000 brought against them, unless they had sufficient means of reinforcing their army to an extent that would render it equal to the force by which it might be attacked? Experience showed that whatever might be the strength of an army in time of peace, unless the means existed of replenishing its ranks in time of war, it very soon came to an end, and the result was the same whether it were victorious or vanquished. The career of the great Napoleon showed that after all his brilliant victories he was compelled to succumb to the forces opposed to him, from the fact that they were constantly being reinforced, whilst his own army at last failed to receive accessions in any sufficient number. The question of maintaining in this country a military reserve, such as would render the standing army, whatever its amount, really effective for the purposes of national defence, was one of the first importance. It was a question which succeeding Governments had never dealt with, and never attempted to deal with. There were many other subjects which required investigation to place the country in a satisfactory state not for aggressive, but for defensive warfare, and the adoption of some plan by which, though it might be impossible to fix a number at which the army and navy should under all circumstances be kept, these services might yet be placed on such a footing as would give confidence to the people; and, what was still more important, would satisfy them that the enormous sums which they were called on year by year to vote were really applied to some practical and useful purposes. Because it was a melancholy thing to be told, after the expenditure of so many millions for successive years, that the army and navy were almost useless without an additional and very large expenditure, and that whenever the least doubt or danger existed, the whole work had nearly to be recommenced. It was his belief that if a proper system had been observed, the services would have been organized on a better, more effectual and more economical footing, and that results of a far more satisfactory character would have been arrived at. Looking however, at the circumstances in which we were placed, he thought the investigations of the Commissioners should take a wider range than was proposed by the Government.

Mr. HORSMAN said, that in explanation he wished to say that he had not proposed that the force should not vary from year to year, but that there should be a *minimum* established below which the force in this country should never be reduced.

GREENWICH HOSPITAL.

ADDRESS MOVED.

Sir CHARLES NAPIER said, he rose to move that an humble Address be presented to Her Majesty, praying that she would be graciously pleased to appoint a Commission to inquire into the management of Greenwich Hospital. He was sorry to learn that the Government intended to oppose his Motion. He was at a loss to know why it should be opposed; for if there were abuses in the institution they should be corrected; and if there were none, the Government would then have a great triumph over him for having brought forward a Motion which was entirely useless. He believed that there were great faults in the management of Greenwich Hospital; and if ever there was a time when they should look into the matter and see that the seamen in that establishment got the same justice as the officers, now was that time. All the officers received their salary and their half-pay as well, and it was extremely hard that the seamen were not treated in the same way. The Governor had a pension of £300 a year for the loss of his leg; and the other officers had pensions for their wounds, and it was quite just that they should. But if a poor seaman lost an arm or a leg and went into Greenwich Hospital his pension was taken away from him, and he only received the maintenance given to a man who had served a certain number of years. Now surely this was not fair play. The House would be astonished when he read a calculation which he had made in respect of Greenwich Hospital, which showed that the salaries of officers came to £25,598 10*s.* a year, whilst the sum spent in the maintenance of all the pensioners was only £33,163. The first thing he asked was that the common sailor in Greenwich Hospital should retain his pension for his wounds. It was not fair that a man who had received no wounds should receive the same advantages as one who had lost in the service of his country one or, perhaps, two of his limbs. At present a pensioner got a shilling a week only to amuse himself with. It was quite true that he was clothed, fed, and lodged; but a sailor could not be comfortable unless he had some money in his pocket. The noble Lord at the head of the Government himself might have the range of Buckingham Palace, and be well fed, clothed, and lodged; but if he had not a penny in his pocket to bless himself with he would be a miserable man. He would give some details as to the officers. The governor, including his half-pay and his pension, received no less than £2,759 0*s.* 1*d.*; the lieutenant governor, £1,345 6*s.* 4*d.*; the senior captain, £740 15*s.* 7*d.*; and so on in the same proportion. These were handsome allowances, but he did not say there was a penny more than those officers deserved, for they were all old officers; but the argument was as good for the men as for the officers. A married seaman's only means of maintaining his wife was to go upon the out-fund or to take his provisions away with him, and share them, together with his shilling a week, with his wife and family. If a man had half a dozen children, how could he maintain them respectably? The wife of a sailor who was in Greenwich Hospital was, he should say, one of the most degraded women in the world. They could get but little work, and they had not sufficient to maintain themselves in decency. If they were allowed to do the washing of Greenwich Hospital, washhouses being erected for the purpose, that would afford a comfortable living to a great many, and the plan would be cheaper than that in operation at present —sending the things to Croydon to be washed. A pensioner passed his house the other day, and he spoke to him, and asked where he had been. The man said he had been to see his friends. He further asked whether he had received any money when he started, and the man said, "Sir, I saved up my shilling a week, and what little I could make up besides, and went down into the west country," and, he added, that he was obliged to beg his way back, though when he got back he should be allowed the value of his provisions for the time he was away. Now, why should not the value of the provisions have been advanced to him when he went away? Another great complaint was that the Governor and the Lieutenant Governor had not the smallest power in the world, but were continually thwarted and their recommendations overruled by three civil Commissioners who had £700 or £800 a year each, and some of them did not even live at Greenwich. It was precisely the same in the time of Sir James Gordon, Sir Charles Adam, and Sir R. Stopford. It might be necessary to have a financier to manage the monetary concerns of the hospital; but if it were, let him be a member of that House, and responsible to it for the manner in which he discharged his duties. The existence of these Commissioners was entirely unnecessary. The day before yesterday two men came to him, one of them a pensioner who had been in the service about twenty years, his pension being £27. When the Queen's proclamation came out calling on him to serve he went to Portsmouth, and was sent on board the *Asia.* He had been a petty officer, and he understood from the proclamation that when he went back he was to receive the same pay and rating as he had had before. The man said, "I am, however, now only rated as an A.B." He was, however, a devilish clever fellow and justly added, "Suppose you, Sir, were a reserve admiral, how would you like to go back again as captain?" Nor was this all, for previous to going back he had been employed fitting out merchant vessels and received weekly wages, but when he joined his ship he was two months without receiving any money, because the ship was not in course of pay, nor had he been able to make any allotment. This was not of so much importance in this case, because there was his pension of £27 to support them; but the contrary was the case in the instance of a man living in his own village who had a pension of £6, and who earned 10*s.* or 12*s.* a week as a bricklayer's labourer. He went to Portsmouth in obedience to the proclamation, but he could get no pay until the ship was in course of pay, nor could he make any allotment for his wife and family, who were starving at that moment. These were little things which did not come under the notice of the Admiralty; but all the pensioners who had re-entered the service were in the same position; they could get no pay until the ship was in the course of pay, and of course could make no allotment. He contended that these matters deserved inquiry, and he would therefore conclude by moving for the Address.

MR. SPEAKER said, he must remind the hon. and gallant Member that there were already an original Motion and an Amendment before the House; therefore, till one or the other of them was disposed of his Motion could not be put.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

SIR CHARLES NAPIER: Am I at liberty now, Sir?

MR. SPEAKER: No; the Motion now before the House is that I leave the Chair.

Main Question put, and *agreed to.*

SUPPLY.—CIVIL SERVICE ESTIMATES.

House in Committee.

Mr. MASSEY in the Chair.

Motion made, and Question proposed,—

"That a sum, not exceeding £169,468, be granted to Her Majesty, to complete the sum necessary to defray the charge for Pnblic Education in Ireland, under the charge of the Commissioners of National Education in Ireland, to the 31st day of March, 1860."

MR. W. WILLIAMS said, he wished to call attention to several items in this Vote, which, it was understood last year, should not again appear in the Estimates for Irish Education. There were several of those items to which he objected, amongst which were the following:—Salaries of teachers of navigation, and purchase of nautical instruments; salaries of teachers of drawing and music; salaries of work mistresses in the ordinary National Schools, &c. There was a long list under the head of model farms, class 11, which some of the Irish newspapers themselves had stated was as gross a piece of jobbery as ever was perpetrated, amounting in the whole to £4,274. There were also ninety agricultural schools maintained at a most extravagant cost. He submitted that the landlords of Ireland ought to maintain their own agricultural schools, as was done in Scotland and in England by the landlords of those countries. There were sixty-four schools belonging to workhouses in Ireland, to which he made no objection. The whole of the items to which he had referred as most objectionable amounted to £22,689, which sum he would move should be deducted from the Vote, unless he received an assurance from the Government that they would never again appear in this Vote. He thought the best application of this money would be to promote the extensi on of education amongst the people.

Motion made, and Question proposed,—

"That a sum, not exceeding £146,779, be granted to Her Majesty, to complete the sum necessary to defray the charge for Public Education in Ireland, under the charge of the Commissioners of National Education in Ireland to the 31st day of March, 1860."

MR. MONSELL said, he thought the House ought to look at both sides of the question, and he must express his surprise that the hon. Gentleman should have passed over the Vote for English Education, amounting to £826,000 for the education of 800,000 children, in silence, and yet should grudge this comparatively small sum of £246,000 for the education of 500,000 children in Ireland. If justice were done, the English and Scotch taxpayers would have to put their hands in their pockets to the tune of £300,000 more. There could be no more legitimate expense than that incurred in teaching the people agriculture —the pursuit by which the majority of them had to gain their livelihood. As for singing, if he had his will it should be obligatory on every school to teach the children this most civilizing accomplishment. He could scarcely think the hon. Member serious in his opposition to instruction in sewing.

MR. CARDWELL said, he hoped the hon. Member for Lambeth would be satisfied with his assurance that no new expenditure with reference to the Model Agricultural Schools was now contemplated. The hon. Gentleman might not be aware how that system of agricultural teaching originated. It was considered desirable by the Devon Commission, and by all persons who had paid attention to the condition of Ireland, that industrial education should be combined with merely literary education, in order that the children, whether male or female, might receive a training which would enable them to obtain a livelihood. The question arose, however, how the teachers for the agricultural schools in which these children were to be educated should themselves be trained? The most economical course was evidently to give them an efficient training, and on this ground the Model Agricultural School near Dublin and that under the control of the Commissioners had been established. His hon. Friend also objected to the expense incurred for the instruction in needlework afforded in the female industrial schools. It appeared from returns presented by the Board of Trade that an extraordinary increase had taken place of late years in articles of needlework manufactured in Ireland which were imported into this country. These imports were principally owing to the employment provided by capitalists in Scotland for Irish women, thus affording to the young women of the sister kingdom the invaluable advantage of gaining a subsistence by their industry. He thought the Government would have neglected their duty if they had not provided for their industrial education in both these establishments. If his hon. Friend would refer to the report of the Commissioners of Education, he would find that very high authorities among Irishmen, and also Mr. Chambers, an eminent Scotchman, who had visited the school of Glasnevin, had expressed a strong opinion as to the importance of maintaining that establishment, even if it were not profitable, as a mere farm. He (Mr. Cardwell) did not mean to say that these items would not appear in future Estimates, but the charge for the higher branch of the agricultural schools had been discontinued as a matter of new expenditure.

MR. HADFIELD contended that it was against the principle which had been repeatedly acknowledged in the House to grant any particular class of Her Majesty's subjects sums of money in order to their being educated in any particular industrial branch. They did not, for example, vote away money to teach the people to spin wool in Yorkshire or to make knives in Sheffield. Ireland was never more prosperous or contented than at the present moment. And he rejoiced at the fact; but he certainly thought it most absurd that the people of the United Kingdom should be called upon to pay for teaching the childern of Ireland music and needlework. He should certainly divide with the hon. Member for Lambeth against this Vote.

MR. BLACKBURN said, he thought it was a mistake to give stewards and gardeners such a training as was afforded in these schools, but he would recommend the hon. Member for Lambeth not to divide the Committee.

MR. HENNESSY said, as the hon. Member for Lambeth had allowed the Votes for industrial teaching in England to pass without the slightest comment, he could hardly be serious in his threat to divide the Committee on this Vote.

MR. W. WILLIAMS said, he was glad to hear from the Chief Secretary for Ireland that these items were in course of diminution. He could not understand on what principle any English, Irish, or Scotch Member could support this Vote; but as he feared that he should not succeed in his opposition to it he would withdraw his Motion.

MR. WHITESIDE said, some observations were made that morning as to the payment of the national schoolmasters in Ireland. He thought it was highly expedient to increase their salaries, and also perhaps to reduce their number. The right hon. Member for Taunton (Mr. Labouchere) had spoken on the subject of education in Ireland. The right hon. Gentleman advised the people of Ireland to preserve the national system, but there were 2,200,000 or 2,300,000 Protestants in Ireland, and nineteen-twentieths of them were of opinion that the Scriptures ought not to be excluded by a peremptory rule from their schools. The province of Ulster afforded a test of the feelings of Irish Protestants on this subject. They were unanimously of opinion that some concession should be made to satisfy the scruples and convictions of their church and people. The Church of Rome, the Church of England, and the Presbyterian Synod complained of that system. The right hon. Member for Taunton asked the Irish Members why they did not approve it, but would the English Members agree to the establishment of that system in England? They certainly would not. There were at present what were called revivals in Ulster, and he had read an account of 30,000 people worshipping there the other day in the open air. Those people would tell you that they clung to the Scriptures, that they pinned their faith upon the Scriptures, and upon nothing else. You might say that that was Puritanical, but that was not the question. The question was, did they hold that opinion? They did. On what principle, then, did the House propose to tax them for the support of a system to which they objected? That system would never prevail among a Protestant population, and it was therefore incumbent upon the Chief Secretary for Ireland, who was a man of ability and, he believed, of sense, to ascertain what were the opinions of all classes of the people, and to make the system conformable to their opinions, and it would thereby become more national than ever. The noble Lord the Member for Marylebone (Lord Fermoy) had misunderstood what was said about the national schoolmasters. It was never intended to attack the whole body of schoolmasters. The great bulk of them were most respectable men, and in charity he was willing to believe it was their miserable pay which induced four or five of them to implicate themselves in treason. On returning from the late trials for conspiracy in Ireland he mentioned to Lord Eglinton what he had discovered in reference to the conduct and moral principles of certain of the national schoolmasters. Lord Eglinton said, the moment the trials were over he would cause a strict inquiry to be made by the National Board into the conduct of these rebellious schoolmasters, and endeavour to secure for the country teachers who would not deprave the morals of their scholars. It had been said that the Protestants were an extreme and intolerant party; but the Protestants had never yet been convinced that it was an intolerant opinion to be in favour of the reading of the New Testament in schools, and against the exclusion of any good book. At the same time they did not wish to force their system of instruction upon any one, but to leave the school doors open, that all who entered might do so with a full knowledge that they would hear the truth. The success of the schools in Connaught and Munster, where there was little mixed education given had been vaunted. But surely in Ulster, where the system of mixed education actually existed, encouragement ought not to be withheld from those who sought to carry its principles into practical operation. A gentleman who formed one of a deputation to the late Government in Dublin said that if the national system was allowed to exist as at present the education of the better class would be extinguished in Ireland; and on being asked for an explanation of his opinion, he said that it had had the effect of destroying all the intermediate schools, which formerly educated a better class of the people than the peasants merely. Under the existing system education was not provided for those classes who were immediately above the poor, and he expected soon that a grant would be moved for out of the public purse to provide for their education. The hon. Member for Dungarvon (Mr. Maguire) complained that the Roman Catholics were very much restricted under the National system, and he cited as an example an instance where the Commissioners refused to make a grant because the emblem of the cross appeared on the ground to be built on. He (Mr. Whiteside) thought that was a very narrow objection. But he went further, and said there was an extreme difficulty in applying this system in its stringency to all cases of religious manifestation. His complaint was that this country (Great Britain) was in the habit of legislating without consideration for the quiet, peaceable, retired, and, if he might say it without offence, the loyal people of Ireland. It was precisely because they were quiet that their opinions were disregarded; if they had been troublesome, their grievances would have been redressed. There had not been a single Orange procession in Ulster this year, but great discontent was felt on this subject of education. The right hon. Member for Taunton said they ought to be satisfied with a theory of his, with which, however, they were not satisfied. Let him mention three examples of the difficulty of working the system in its present form. Some time ago a number of ladies connected with the Established Church and with the Dissenting bodies united together in founding a ragged school in Belfast, where certain miserable and outcast children were fed, clothed, and taught something of the existence of a God, of which they had never heard before. The National Board was applied to for assistance, which was granted after examination of the rules of the school; but after a time representations were made to the Board that something had been taught savouring of religion —he knew not whether it was the Lord's Prayer or a hymn. Straightway an offensive inquiry was instituted on the spot to discover not merely whether the strict orders of the Board in regard to religious instruction had not been exceeded by these benevolent ladies, but into their own opinions and conduct as to religious teaching. In another case an inspector found a religious book in a school conducted by some nuns, and it appearing that a Protestant child had been taught an

Ave Maria from it, the Board wrote an admonition to the teachers condemning what they had done. What did this prove but that those ladies, being bound together by a higher obligation than any that the Board could enforce, could not fail to be brought into collision with its administrators, and did that despite the rules which the rules of the Board were formed to prevent? It would be far better to give to the members of different religious persuasions such aid as they were fairly entitled to secure, and enforce under inspection a good secular education, and then leave the patrons to give religious instruction in accordance with their own conscientious belief to those scholars who chose to attend their schools. The third instance that he would quote was one in which an inspector visited a school in Tyrone and found the school closed during school hours to enable the Redemptorist Fathers to hold a meeting within its walls. As the Board would allow no religious teaching within the school, their rules were brought into direct conflict with the opinions of, no doubt, the great bulk of the pupils. The schools could not be opened in the morning with a recognition of the existence of the Almighty; a priest would violate the system if he gave the children his blessing; and the scholars would, in their turn, be censurable if they crossed themselves in the school. What was that but attempting to govern the people of a free country by the drum-head principles of the Prussian system? He believed the hon. Member for Maidstone (Mr. Buxton) had once a favourable impression of the National system, but on examining its working he came over to our opinion, and that is to maintain the secular system in all its utility, leaving the patron to give the religious instruction which he notifies. Sir F. Head also, who in a pamphlet stated that he had been charmed by the spectacle of a model school in which several hundred children were taught, after further reflection said the sight of such a school inspired a sentiment of awe, because those hundreds of children commenced and concluded their day without any acknowldegment in the school of the existence of a Divine Being. He also became of our opinion. No answer had ever been given to the case of the Wesleyan Methodists. In their schools, by the system of teaching established by John Wesley, religious instruction was made obligatory; the trustees of Methodist schools could not deviate from their trusts, and their system was in direct conflict with that of the National Board. The Earl of Eglinton had at one time entertained an opinion that the Board ought not to be meddled with; but, after investigating the practical working of the system, and consulting the dignitaries of the Church upon it, he came to the conclusion that it was absolutely impossible to maintain it as it at present existed, and that such modifications ought to be introduced into it as, without affecting the conscientious scruples of any man, and rendering the system more national, would enable this House which voted away the money, to include within the operations of the Society those who now conscientiously differed from it. When they reflected upon what was the nature of the population of Ireland, and that there were fifty Members from that country who would probably vote for a modification, he thought that whatever their opinions or prejudices this House was bound to reconsider the stringent rules of the National Board of Education. He (Mr. Whiteside) spoke not to the Roman Catholics, but he spoke on behalf of the Church, which would not change with the changing politics of the day, and of the University for which he was a Member; but he could not help expressing his admiration of the speech of the right hon. Gentleman the Member for Limerick (Mr. Monsell), because he thought it was tolerant, courteous to those who differed from the right hon. Gentleman, and yet expressive of his own views. He would, however, warn the right hon. Gentleman the Chief Secretary to the Lord Lieutenant that he would never be able to change the opinion of the Church on this question. The Church of England rested on the Scriptures, and it would always insist that the Scriptures should be taught. The Protestants in Ireland were part of the nation as well as the Roman Catholics, and neither party could now well exist without the other. The country, however, was wide enough for both, and the best advice he could give them was to respect each other, and endeavour to settle this dispute in an amicable spirit, and put an end to almost the only question that now provoked a difference of opinion in Ireland.

Mr. M'CANN said, the right hon. and learned Gentleman had stated, that although Roman Catholic children attended many of the Protestant schools in Ireland, they never heard of any of them being perverted or converted to the Protestant faith, But why did the Roman Catholic children go to the Protestant schools? Was it not a notorious fact, that in ninety-nine cases out of 100 they were coerced in doing so? He was stating what he knew to be the truth. He knew from experience, that when work was scarce, labourers were refused employment and turned away, because their children did not go to the Protestant schools. The Secretary for Ireland had proved to him that he knew how to take a correct measure of certain gentlemen who came from Ireland and spoke mildly and quietly in this House, but who had got up this game of opposition with a view of moving the Government to accede to the wishes of the Church party. If the Roman Catholics held the same proportion of property in Ireland as the Protestants, he should be ready to support the proposition of the hon. Member for Sheffield. He agreed almost entirely with what had fallen from the hon. Secretary for Ireland. No matter what defects might be imputed to the National system of education, it had conferred greater benefits on Ireland and done more to raise the character of the people than anything effected by legislation within his memory.

Mr. A. MILLS agreed that it was of the utmost importance, that the schools in the south of Ireland especially should be raised to a higher standard, and that the only mode of raising them was by increasing the salaries of the masters. The real test, in his opinion, of a good system of National education was, that it should evoke the largest possible amount of local and personal effort; but tried by that test, he confessed he thought that the Irish system of education had in some measure failed. He trusted that the Government would use their best endeavours to make the system succeed in those points where it had failed.

Amendment, by leave, *withdrawn.*

Vote *agreed to,* as were also the following Votes.

(2.) £665, Office of Commissioners of Education, Ireland.

(3.) £3,650, University of London.

(4.) £7,650, Grants to Scottish Universities.

(5.) £1,297, Queen's University, Ireland.

(6.) £2,800, Queen's Colleges, Ireland.

Mr. HENNESSY called attention to the fact that this Vote was required on account of the practical failure of the system of mixed academical education in Ireland. A note in the Estimate stated that the Vote was necessary to meet certain incidental expenses formerly defrayed from fees which had been reduced. The total sum derived from such fees, however, before the reduction, was only £759 for the three colleges. When the matriculation fee was reduced from £3 to 10*s.*, the aggregate reduction amounted to about £700. The House was now asked to vote £800 to make up for the loss of £700. If the number of students had been as large as the promoters of the colleges anticipated, no necessity whatever would have arisen for this Vote. He would not oppose the Vote this year for reasons he had formerly adverted to.

Mr. CARDWELL said, the whole of the items which formed this Vote were given in a complete state in the Estimates, and he had no hesitation in saying that the colleges had not met with the success which was originally expected by the founders.

Vote *agreed to,* as was also

(7.) £500, Royal Irish Academy.

Motion made, and Question proposed,—

"That a sum, not exceeding £1,500, be granted to Her Majesty, to complete the sum necessary to pay the Salaries of the Theological Professors and the Incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution, to the 31st day of March, 1860."

Mr. BAXTER said, that as a Protestant Dissenter he always felt ashamed when he saw this Vote upon the Estimates. He would appeal to the hon. Member for North Warwickshire for his support, for it was his belief that if the House could be induced to refuse the Vote the path would be cleared, to some extent, for getting rid of Maynooth. There was no reason on earth why this large denomination of Christians should not pay their own theological professors. Among the disbursements was a sum of £250 a year to Dr. Cook, for filling the office of professor of sacred rhetoric—an office, he believed, which had never been heard of in any other country. He should therefore move to reduce the Vote to the sum of £450 being the amount of the retiring allowances.

Mr. W. WILLIAMS inquired if it was not an understood thing at the establishment of the Belfast College that the institution was to merge into it.

Mr. CARDWELL explained that the fusion had taken place, but that such of the then existing professors as were entitled to a retiring allowance were provided for out of the Vote.

MR. HADFIELD complained that the Irish Presbyterians were the only Nonconformist body in the United Kingdom who received a single farthing from the Exchequer. He objected to such gentlemen as Drs. Montgomery, Scott, and Cooke, enjoying professorships when they had chapels for the administration of the duties of which they were likewise paid. It was now quite time that the Presbyterians should be put on the same healthy footing as other Nonconformists. They were most grudging in the support of their clergy, and he believed no greater service could be done to the denomination than by the withdrawal of this grant. Let them in future pay their own ministers and their own professors.

MR. WHITESIDE said, hon. Gentlemen must remember that the retiring allowances comprised in this Vote were made to professors who were got rid of when the Parliamentary grant for the Belfast Academical Institution ceased. The Irish Presbyterians were not Nonconformists, they formed, in fact, a National Church, holding the same opinions with the Church of Scotland. With regard to the conduct of the rev. Gentlemen mentioned by the last speaker, it was ridiculous that a salary of £150 per annum was to prohibit them from turning their talents to the best account, so long as their doing so did not interfere with their professional duties. A salary of £150 to Dr. Cooke for teaching the young men of his own creed—the equal of Chalmers in oratory—was not a piece of extravagance of which the Committee could complain. He must remind the hon. Gentleman who spoke of these Presbyterians in Ireland in the way he did that they contributed largely to the taxation of the country, and that it was a very impolitic course for any hon. Member to take, when £30,000 was voted for the College of Maynooth, by turning round on some of the most useful men in Ireland who were engaged in teaching a large body of people the principles of their religion.

MR. BAXTER said, that the Presbyterians were at present in connection with the Free Church of Scotland.

MR. ARNOTT said, he could bear testimony to the deserving character and services of the Presbyterian clergy of Ulster, whose incomes were by no means too large.

MR. BLACK said, the principle of this Vote was radically bad; for this money was given not to a university, but to the theological hall of a small body of Dissenters; and if such Votes of public money as these were given, it would be occasion of great extravagance, because other demands of a similar nature would be made on the public purse. He, therefore, objected to it altogether.

Motion made, and Question put,—

"That a sum, not exceeding £450, be granted to Her Majesty, to complete the sum necessary to pay the Salaries of the Theological Professors and the Incidental Expenses of the General Assembly's College at Belfast, and Retired Allowances to Professors of the Belfast Academical Institution, to the 31st day of March, 1860."

The Committee *divided*:—Ayes 38; Noes 145: Majority 107.

Original Question put, and *agreed to*.

SUPPLY.—BRITISH MUSEUM.

(9.) £47,425, British Museum Establishment.

MR. WALPOLE said, that as the noble Lord the Secretary for Foreign Affairs, the senior Trustee of the British Museum, happened, unfortunately for him (Mr. Walpole), to be in office, it devolved upon him as the junior Trustee to move the Estimate for the present year. But the duty was considerably lightened on this occasion by the circumstance that there was nothing in the Vote this year requiring explanation or apology. The Committee would observe that the Vote was less by £1,875 than it was last year, or £77,475 against £79,275 of the previous year. The Vote was arranged under the different heads of the salaries of the establishment, the house expenses, purchases and acquisitions, books, and bookbinding, catalogues, and miscellaneous charges. If hon. Members looked through these different details they would find that there was an increase under the first head of £1,475 in consequence of the increase of attendants which the new arrangements had rendered necessary. Under the head of house expenses there was a diminution of £220, in consequence of some improvements in the warming and ventilation. Under the third head, of purchases and acquisitions, they would find there was a slight increase of £300, chiefly owing to the improvements in the mineralogical department which was under the direction of a very able Professor. Under the head of books and bookbinding there was a large diminution, to the extent of £2,500 which was owing to large Votes having been taken in former years to bring up the arrears of bookbinding which had fallen back in former years. There was also a diminution of £900 in the Vote for the catalogues, while the miscellaneous charges remained the same; so that the Committee would observe the difference between last year's Vote and the present was a saving in the present year of £1,875. The only material point to which he thought it necessary to direct the attention of the Committee was a circumstance which must be highly gratifying to them—he meant the increase in the number of gentlemen who attended the Museum for the purpose of study. Not only was there an increase in the number of students, but an increase in the number of books they used for study; and, what to his mind was the most gratifying of all, there was a large increase in the number of books put into the closets for the purpose of future study by those students who came there day after day to pursue their investigations into a particular subject, and who were allowed the use of these closets—a new regulation which he had no hesitation in saying had proved of the greatest advantage. The number of books returned to the shelves of the general library during the year was 177,290; to the Royal library, 12,425; to the Grenville library, 787; and to those closets where the books were left for students, 122,192; and adding to these the number of volumes, amounting to 564,000, in the reading-room, which the students could command without requiring any order for their use, it showed that the books used in the course of the year amounted to 876,000, or 3,000 per diem, while the numbers used in the preceding year were 576,000, or about 2,000 per diem. This showed that the increased accommodation afforded to students had been largely used by them. There were two vacancies in the list of Trustees that had been filled up. One of those vacancies, which was in the appointment of the Crown, and had long remained vacant, had at last been filled up by the appointment of the learned and able Dr. Cureton. The other vacancy was in the appointment of the official trustees; and it was a satisfaction to his mind to be able to state that they had selected the learned and excellent historian, Mr. Grote. This appointment was, he thought, of itself sufficient guarantee that the managers of this institution were determined to do all they could to maintain its high position as worthy of the British nation. He would formally conclude by moving the Vote.

Mr. GREGORY said, he wished to call the attention of the Committee to the present state of the collection in the British Museum. It had been his intention, if he had obtained the Committee for which it would be in the recollection of hon. Members that he had moved during the late Session of Parliament, to enter upon the inquiry as to whether some portion of the collection could not have been advantageously separated from the Museum, and then the question would have arisen as to the locality to which such portions should be removed. He had shown on that occasion that the Museum was in a state of hopeless confusion; that valuable collections were wholly hidden from the public, and that great portions of other collections were in danger of being destroyed by damp and neglect. Parliament, however, was dissolved, and on its reassembling he had not the energy, and he was not sure that he would be supported by the ardour of a sufficient number of Members to press for this Committee. In the course of next Session he should probably bring forward the matter again; but he trusted that the observations he was now about to make would render it unnecessary. His noble Friend (Lord Elcho) had opposed the Motion on the ground that the British Museum was in such a discreditable state that every delay should be avoided; that the late Government was in a position to act, and that it was to action and not to protracted investigation they should look to remedy the evil. No one better than the noble Lord could know the deficiencies of the British Museum. He believed that if the Government were prepared before the next meeting of Parliament with some course of action, they would be spared the anxiety of a protracted investigation, and get rid of the injurious evils which now affected the British Museum. He trusted that the Government would consider the subject during the recess, a course which they could take with the more advantage as they numbered in the Cabinet no less than four of the most influential Trustees. He would wish them, first of all, to consider whether the natural history department could not be removed from the British Museum. Public opinion was strongly in favour of its removal; and then the question for the Government was the locality to which it should be removed. There were two or three localities to which attention had been drawn. First of all there was Kensington; but he warned the Government that if they proposed to remove it to that locality they would meet with strenuous opposition. He believed that an opposition as successful as that which had been raised to the proposed transference of the National Gallery would be raised to any attempt to remove the British Museum to Kensington. The Regent's Park, which had been likewise spoken of, was certainly a more central position, and had the further advantage that the stuffed and osteological specimens might be studied in close proximity to the living specimens, but there were likewise difficulties to be encountered in that quarter, for he understood that pledges had been given which rendered building in that locality, without the consent of the inhabitants, a matter difficult of accomplishment. He believed that with certain arrangements which could be made the present site offered advantages which were not to be met with elsewhere; and certainly there would be the primary gain of a saving in the expense of a new library; the risk and delay attendant on a transference would be avoided; and they would also thus have drawn together a noble collection both natural and scientific. He did not mean that the collections were to be continued under the present roof, or as they stood; he should like to see a separation made between the works of nature and of art. He should desire to have a north and south front to the building for these different purposes, and he thought it would further be most advantageous that the enormous establishment should be placed under separate departments. It was quite bewildering for any man to attempt to govern the Museum in its entirety at present, and to exercise a general view; how much more bewildering therefore must it be for any single mind to attempt to exercise a general management over the whole. He hoped that in the new arrangement, whenever it might be completed, there would not be overlooked the necessity which existed for a scientific arrangement of the archæological department. He could not do better on this point than to recall the attention of the Committee to what had taken place. Mr. Smirke, the architect to the Trustees, had prepared, by their order, a plan for the future arrangement of the British Museum. The Trustees, on this subject, had neither conferred with nor consulted a single one of the heads of the departments; and those gentlemen, if they were fit for the positions which they occupied, ought certainly to have had a voice in the matter. Professor Owen had not been consulted; and when, at great trouble, he drew up a plan it was determined by the Trustees that it should not be submitted to the House. Mr. Hawkins, the head of the department of antiquities, himself drew up a plan for the future arrangement of the archæological department, which was a virtual though unconscious protest against the plan of Mr. Smirke. Year after year the House was asked for sums varying from £75,000 to £80,000 for this national institution, and for the most part these were voted without objection or complaint. But they had a right to expect that this money should be spent properly, and they would take care to demand that the British Museum, when it was completed, should be a credit and not a disgrace to the British nation. Another subject which he felt obliged to bring prominently forward was the necessity of making that building not merely a place for recreation, but of instruction by means of lectures. That proposition, when made on a former occasion, had been most favourably received by the House and the press out of doors. He was far from desirous of assuming a position of hostility to the present management, but he was perfectly determined to persevere in his efforts till those who did not belong to the upper classes of society, but who nevertheless contributed their quota towards the maintenance of the establishment, should have the means of deriving equal advantages from it with those who were more favourably off as to social position and early education. Those for whom he was interested were equally anxious to know the meaning and value of objects comprised in the collection, but unless by the medium of lectures they had no means of becoming acquainted with these details. He trusted that at the commencement of the next Session, whoever might be Her Majesty's Ministers, they would be prepared with a statement to the effect that a measure had in the meantime been prepared which would deal with the matters to which he had called attention. He must likewise refer to the position of the assistants in the British Museum, who were unquestionably the worst paid and the worst used of any of the public officials in any department. They required an education of a special and high order. Take, for instance, the archæological department. The gentlemen assistants there had received a good classical education; many of them had a knowledge of different modern languages, and some even were acquainted with Eastern languages, both ancient and modern, yet the utmost to which these gentlemen could aspire, so long as they remained attached to the British Museum, was a salary of £300, with the exception of one fortunate individual, who might eventually be placed at the head of the department. Two years ago an alteration had been made in the condition of these gentlemen, who were divided into two classes; and he confessed he should be glad to be acquainted with the principle on which that division was made, and whether it had been generally applied. Previously the assistants had entered at £150 per year, and the *maximum* to which they could arrive after a great many years' service was £245. By the new arrangement they entered at somewhat over £200, and their salaries increased yearly until they reached £300. He believed there was a great diversity of opinion among the Trustees as to giving the assistants at the British Museum a more liberal provision in the way of salaries, although, considering that it was necessary to have the best men they could get, the present scale of salaries ought to be increased. There was but one other point to which he would allude, and that was with regard to the vacation. He found that in the whole year the assistants at the British Museum only had twenty-four days' vacation, while the assistants in all the other public departments had more than eight weeks' vacation in the year, and bearing in mind that the former were required to be on duty every ordinary day from ten a.m. to four p.m., he thought this very inconsiderate treatment. It was not by overworking people that they got the most efficient service; and although the officials of the Museum might endure such labour, yet it was placing upon them burdens which no other officers would bear. It was because those gentlemen were not connected with Parliamentary or political struggles that they found no person of influence to advocate their claims, and it was in the hope that he should better their condition that he now ventured to press the subject upon the Committee.

Mr. MONCKTON MILNES said, he knew the gentlemen constituting the working body of the British Museum, than whom a more intelligent, honourable, or worthy class of men did not exist. He trusted the noble Lord the Secretary of State for Foreign Affairs would use his influence in that House and as a trustee of the Museum in removing the great scandal on the literary character of the country that at present existed in respect to the remuneration they received. He believed if the case of these gentlemen was brought clearly before the public, the feeling of the House and the country would be that these gentlemen should not be allowed to remain in the state of honourable penury in which they now stand—but would be regarded as deserving servants of the State. He (Mr. Milnes) availed himself of that opportunity to suggest that a certain number of small reading rooms should be attached to the library, for the use of men of high literary distinction who were engaged on particular works, and to whom the circumstance of studying in company with a large body of persons was extremely inconvenient. One of the most distinguished literary men of our time, who from physical circumstances was unable to avail himself of the treasures of the library, had actually received from foreign countries the very works which he was unable to take home from the British Museum. He also suggested that some arrangement might be made by which provincial libraries might be benefited by the distribution among them of some of the large collection of duplicate volumes in the library of the Museum.

Mr. TURNER said, he quite agreed with the hon. Gentleman who had called the attention of the Committee to the position of the assistants of the Museum, who, he thought, were an ill-used class of men. He had the honour of knowing the whole of them, and he thought it was an honour to any gentleman to be acquainted with men of such high attainments and so fully competent to conduct the different departments in the Museum, and who were able and willing on all occasions to give every information to visitors to that establishment. And yet with the small salaries allowed them they were unable, highly accomplished though they were, to live like gentlemen, or to educate their families in a manner befitting their station. One of them he knew, had been compelled to relinquish what to him must have been a sort of Crimean medal, namely, his title of honour in connection with a learned body of which he was a member, from sheer inability longer to pay the annual expenses incident to membership. He (Mr. Turner) considered it a disgrace to the country which refused a salary of £300 a year to such men, but gave it to persons employed, for instance, in the inspection and manipulation of boots and coats for the army.

Mr. VINCENT SCULLY wished to call the attention of the Committee to the small sum which was granted to Irish institutions of a similar character, when such lavish Votes were granted in England. He hoped that when a few trifling items were proposed for Irish purposes they would not meet with a renewal of objection to the amount. He agreed with the hon. Member for Galway that the British Museum was not made sufficiently available for the purposes of instruction. On a future occasion he should renew the notice he had formerly given on that point, and also for opening the Museum after the hours of Divine service on Sundays.

Mr. DANBY SEYMOUR said, that the officers of the Museum complained not only of the lowness of their salaries, but of the way in which they were treated, being marked, for example, when they arrived in the morning, and having the number of hours they attended recorded against them. He could not understand why the Trustees had allowed the grievances of the assistants to remain so long unredressed. He was quite sure that no private gentleman would have treated his servants as the Board had treated the assistants of the Museum. He also wished to remark with reference to what had been said as to removing a part of the Museum to Kensington, that he thought the inhabitants of the east end of London had some claim to be considered, and that Victoria Park was as suitable a spot as Kensington for a part of the collection. He believed Mr. Smirke was the architect who had carried out the alterations of the Museum. £550,000 had been expended on the front, which he certainly did not admire, and only £200,000 on the Museum. He hoped any further alterations would be submitted to a competition of architects.

Mr. TITE said, he differed from the view taken by the last speaker. The proportionate outlay was, as he believed, greatly less and the cost of the portico and peristyle under £100,000. The original architect was Sir Robert Smirke, his brother, Mr. Smirke, being the present architect, both of them being then of the greatest eminence. He did not object to the amount of the Votes that had been granted in respect of the monuments brought from the excavations at Halicarnassus, which had been referred to in the course of the discussion, but he wished to know whether some arrangement could not be made by which those extremely curious monuments could be publicly exhibited; at present they were in a miserable state under the portico.

Sir JOHN SHELLEY asked whether the Museum could not be kept open longer on Saturday afternoons than at present; it might be contended that this would throw increased labour upon the servants of the institution, but he thought the working classes better deserved consideration than they, and that the general disposition evinced by all classes to observe the Saturday half-holiday rendered such an arrangement desirable.

Mr. WALPOLE said, he rose to reply to the various suggestions and questions that had been made. The hon. Member for Galway, in pointing out the inconvenience of removing some portion of the collection, and retaining others where they now were, suggested that the whole question should be taken up and considered by the Government. He (Mr. Walpole) was of the same opinion, for he believed that no Committee of that House could effectually grapple with the subject. Various Committees had already sat upon the whole matter, and all the information required had been obtained. It now only remained for the Government to take the matter in hand, and determine not only with regard to the British Museum, but with regard to other existing museums, how they could best be made available for the public generally. He thought it was hardly necessary, after the observations made by the hon. Member for Pontefract (Mr. M. Milnes) to reply to the observations that had been made upon the supposed confusion existing in the arrangements of the Museum. He might mention, however, that within the last ten days one of the most scientific gentlemen in Europe had seen and expressed his entire satisfaction, not only with the collections themselves, but with their arrangements. As to the suggestion that courses of lectures should be established, and lecturers of acknowledged ability be appointed to impart instruction upon the various portions of the collection, he thought that a difficult question to decide. Individually he thought such collections could not be made the most of without instruction; but in what rooms could the lectures be given? Who was to give the lectures? How was he to be paid? And after all, was the Museum the proper building for such a purpose? The Museum was a collection, not a school for instruction—a place to which people might resort to get information upon which they might make their own observations. But if the Museum were turned into a great college or academy for instruction, he thought it would be a perversion of the purpose for which it was originally intended. Then, with regard to the remuneration of the assistants, he would be glad to see them paid higher salaries. He did not mean to say that any of the gentlemen were paid in accordance with their attainments. But who was paid according to his attainments? Was Professor Owen—the person who was paid more than any one else in the establishment—paid according to his attainments and acquirements? Why, he would not be sufficiently paid, if he received a salary equal to that of the first Minister of the Crown. He did not wish to check the desire of hon. Gentlemen, of the Government, nor even of the Trustees, if they entertained such a desire, to pay higher salaries than were now given; but two years ago the whole question had been fully gone into by officers appointed by the Treasury to see if those persons were properly paid: their salaries in some instances were raised, in all they were considered. Let it be considered again *de novo*, but he only wished to tell hon. Gentlemen that after such an inquiry they should not come down to the House and complain that the Votes in the Civil Estimates were being increased from year to year, and that no check existed upon the Trustees, who were remunerating their assistants, not according to the requirements of the establishment, but according to their own notions of philanthropy and benevolence, however disqualified the recipient might be. With reference to the suggestion that separate rooms should be built in which gentlemen deserving peculiar consideration might pursue their studies unmolested, which they could not do in the public reading-room, he considered that many objections might arise if such an arrangement were put in operation, not the least amongst which would be jealousy caused by the admission of one to the exclusion of another. But he thought that the arrangements already provided in the public reading-room — the separate desks, the separate lockers in which the reader might keep his pens, paper, and books which he had not finished reading, *cum multis aliis*—were of such a nature as to preclude the necessity for the adoption of such a suggestion as that to which he was replying. As to the exceptional case mentioned by the hon. Member for Pontefract such a case might be made by the Trustees the subject of exceptional treatment; and he was quite sure that the Trustees would feel the greatest willingness to take it into their consideration and make every necessary provision required. Then, with regard to the observations made by the hon. Member for Bath (Mr. Tite) upon the monuments from the excavations of Halicarnassus, he admitted that they were undoubtedly in the most disreputable state as far as the accommodation provided for them was concerned. They were under a glass covering, hardly open to the public; and there was really no means of studying them as many persons might desire to do. But in alluding to this subject the hon. Member was in fact opening the whole question of the extension of the building. That was a very large question, and he (Mr. Walpole) was very much in favour of the extension, therefore he hoped it would not be thought that he was going to oppose it. But at the same time he must be understood as giving his own individual opinion only in thus expressing himself, and not the opinion of the Trustees, although, for aught he knew, they might entertain similar views. He believed that they would never make the Museum a fitting receptacle even for the objects which we had got until it was extended to the street running to the north of it. Nay, more; he would not say but that, in the course of time, it would not be necessary to add to it on each side, so that it should occupy the whole space within the four adjoining streets. As to extending the hours of admission on Saturday, he might remark that until lately the Museum had not been open to the public at all on Saturdays. He believed that the hon. Member (Sir John Shelley) was under a mistake if he thought that Saturday was the day on which the working classes took most advantage of the Museum by visiting it, for he was informed that it was on Monday that they went there in the greatest numbers; and if they extended the hours for being open on Saturday they would involve themselves in the question of whether the Museum should not be open in the evening; and it was a question whether such a course by rendering necessary the introduction of fires and lights, might lead to more loss than advantage. He had not long been one of the Trustees of the British Museum, but in the governors of no institution had he ever witnessed a greater desire to give the greatest possible accommodation to the public, and to the working classes as well as others. The Trustees could have no desire except to make the institution worthy of the country, and he believed that, by the attention which they paid to it, that object would be accomplished.

THE CHANCELLOR OF THE EXCHEQUER said, that speaking as an individual he felt bound to state that he looked upon the scheme for extending the Museum which had been sketched by the right hon. Gentleman (Mr. Walpole) with alarm, as one involving an enormous and most unnecessary expense. The provision of additional accommodation called for the early consideration of the House; but whether it could be accomplished without the separation of the collections was to him more than doubtful. The Trustees, he believed, were quite prepared to enter into the fullest consideration of this question and to declare their opinion upon it, and it would be the duty of the Government, when circumstances would permit, to take steps to bring it to a state of ripeness for decision. At the present moment he felt more than ordinarily the necessity for caution and circumspection, on account of the accumulation of heavy demands on the public purse, though he did not state this so much as a reason for doing nothing as a plea for indulgence. He was sorry to hear the question of insufficient salaries and vacations raised in the House of Commons—for in the first place there appeared little presumptive reason for raising it, and if it were raised it should be in a different manner and place. The most deliberate and careful consideration had been given to the question of salaries by the Trustees and the Treasury jointly some two years ago. In fixing the salaries of offices of this kind, it was but fair to the public that the other incidents of the offices should also be taken into view. It must not be forgotten that the offices which these gentlemen held were peculiarly agreeable in themselves, and the agreeable incidents of offices of this kind for literary men must necessarily form an important item in considering the salaries attached to them. Still, if these gentlemen were dissatisfied—and it was evident from what had been said that they were—with the amount of salary which they received, and the length of vacation which they were allowed to abstract from their ordinary duties, their proper course was to memorialize the Trustees and ask for an alteration. They had already raised one point before the Trustees—that of retrospective increase of salaries—and the Trustees having decided against them it was competent for them to have applied to the Treasury, and ultimately to the House of Commons. So in all other cases they ought to go before the Trustees first, and if they did not get justice from them they might then go to the Executive Government, and it was only by way of appeal from the Trustees and the Executive Government that they could legitimately appear before the House.

MR. GREGORY said, that the right hon. Gentleman laboured under a misapprehension, when he said that he (Mr. Gregory) represented the grievances of the officers of the British Museum. From taste and inclination, however, he was frequently at the Museum, and well acquainted with the affairs of the place. He hoped that the gentlemen in question would profit by the advice of the Chancellor of the Exchequer, and that their address would meet with more success than former ones had done.

Vote *agreed to*, as was also,

(10.) £12,270, New Buildings and Fittings, British Museum.

On the next Vote, £15,985 for the National Gallery being put,

MR. DANBY SEYMOUR moved that the Chairman report progress.

Motion made and Question, "That the Chairman do report these Resolutions to the House," put and *negatived.*

VISCOUNT PALMERSTON said, he would not ask the House to take a Vote which might create discussion at that time of night, twelve o'clock.

House *resumed.*

Resolution to be reported *To-morrow.*

THE POLICE (COUNTIES AND BOROUGHS) LAW AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

MR. G. CLIVE said, he would move the second reading of this Bill. He proposed to take any discussion which might be thought desirable in Committee.

MR. HENLEY said, he should oppose the second clause.

COLONEL NORTH said, that Major-General Cartwright, who was an Inspector-General of Police, was entitled to a salary of £700 a year, but in consequence of his having served in the army, and being in receipt of half-pay, a deduction of £200 a year was made from that amount. He wished to know whether it was intended to remedy this grievance.

SIR GEORGE LEWIS replied, that a clause in the present Bill would enable officers of the police force to receive their full-pay in that capacity, as well as half-pay and pensions for military services.

Bill read 2°, and *committed* for *Thursday.*

VEXATIOUS INDICTMENTS BILL.
SECOND READING.

Order for Second Reading read.

THE SOLICITOR GENERAL, in moving the second reading of this Bill, said, that in consequence of indictments having in many cases been preferred against persons before grand juries simply for purposes of oppression or extortion, this measure provided that in cases of perjury, subornation of perjury, conspiracy, obtaining money or other property by false pretences, keeping gambling-houses or disorderly houses, or indecent assaults, the prosecutors before preferring Bills should be required to take proceedings before magistrates, and so give the parties accused some notice of the accusations. At present indictments might be preferred before grand juries, and if they were found upon *ex parte* statements the plaintiffs were entitled to bench warrants, and the first notice the intended victims—the persons accused—received of the proceedings was from the execution of those warrants.

MR. AYRTON said, the arguments used in favour of this Bill would equally apply to the whole grand jury system, and the right generally of preferring an indictment before a grand jury. Although he was anxious to guard against abuses in the cases referred to, he objected to constituting a justice of the peace, without any appeal or restraint, the sole judge as to whether an indictment should or should not be preferred. The measure was one which proposed a fundamental change in the constitutional rights of a British subject, and which appeared to him to be totally subversive of his liberty in those matters. He should certainly oppose the passing of the measure, unless it was materially altered in Committee.

MR. EDWIN JAMES said, the Bill was undoubtedly of a startling character in regard to some of its provisions, and would require careful consideration. He concurred in the principle of preventing vexatious indictments; nevertheless, he thought that it required some alteration in order to protect the rights of a British subject to obtain justice for a grievous wrong done him.

MR. ESMONDE said, that as the Bill referred to Ireland, he should like to hear the opinion of the Solicitor General for Ireland upon it.

MR. HENLEY said, this was a modified attempt to get rid of the grand jury system. Attempts had been made to get rid of the system altogether. He believed the system had been abused in the metropolis with a view of extorting money, but he must beg leave to reserve his opinion upon the question whether the Bill dealt rightly with the grievance. He would ask whether the object of the Bill could not be attained by restraining persons from presenting Bills instead of restraining the grand jury from finding Bills? But he thought the objections to the Bill could be better discussed in Committee.

MR. SEARJEANT DEASY said, he believed the operation of the Bill in Ireland would amount almost to nothing, because the offence against which it was aimed was almost unknown there.

Bill read 2°, and *committed* for *Thursday.*

LOCOMOTIVE BILL.—COMMITTEE.

Order for Committee read.

House in Committee.

Clause 1,

SIR GEORGE LEWIS said, it was with some reluctance that he rose to oppose the Bill. Having examined the matter he thought the House ought to consider well before they agreed to the Bill. There was no doubt it was very desirable that locomotives should be permitted to travel along turnpike roads and be subject to tolls like carriages drawn by horses, but the evidence did not satisfy him that the House would be justified in its present state of information in passing the Bill. The experiment had been hitherto tried upon only a very narrow scale, and he was informed that the engineer of the Board of Trade entertained considerable doubt whether there was sufficient experience to justify the granting of the permission sought for by the Bill. He therefore suggested that, for the present, the Bill ought to be withdrawn.

MR. RIDLEY said, the evidence given before the Committee showed that the experiment had been tried to a large extent in Manchester and Liverpool in the most crowded hours of the day, and that no damage had ensued. It should be remembered also that as the law at present stood there was nothing to prevent a locomotive proceeding from London to Edinburgh on the high road without paying a penny for turnpike.

MR. GARNETT said, he thought that if the consideration of the Bill was postponed for a few days, until the evidence taken before the Select Committee could be printed, the House would then be in a position to deal with the measure. The Bill had been brought in to meet a necessity that had arisen out of a particular case in Manchester, where an experiment had been made in conveying coals from a neighbouring colliery into that city, but so high a rate of toll had been charged on the locomotive engine employed for that purpose as to be almost prohibitory of the traffic.

MR. HEADLAM said, that as a member of the Select Committee, he was convinced of the practicability as well as of the expediency of a measure like the one before the House. Still he agreed with the right hon. Gentleman that it should be postponed till the evidence was before the House.

SIR GEORGE LEWIS suggested that the Bill should be postponed till Thursday, when the evidence taken by the Select Committee might be in the hands of Members.

House *resumed.*

Committee report progress.

MILITIA ESTIMATES.—COMMITTEE.

MR. SIDNEY HERBET moved that the following Members constitute a Select Committee to prepare estimates of the charge of the disembodied militia of Great Britain and Ireland for the year ending on the 31st day of March, 1860:—Mr. Secretary SIDNEY HERBERT, General PEEL, the JUDGE ADVOCATE, Sir GEORGE LEWIS, Mr. ELLICE, Sir JOHN RAMSDEN, Mr. GEORGE CLIVE, Colonel KINGSCOTE, Colonel WILSON PATTEN, Colonel SMYTH, Colonel PINNEY, Colonel NORTH, and all Colonels of militia: five to be the quorum.

MR. VINCENT SCULLY said, he had to complain that Irish Members were excluded from this as well as from most other Committees. There was not a single Irishman in the Cabinet, and it seemed therefore to be forgotten that there was an Irish Member in the House. A Committee was also about to be appointed to inquire into the state of the Thames; but, as usual, it was to comprise no Irishman, probably because it was supposed that Irish Members had not as sensitive olfactories as their English brethren. He gave notice that he should bring this subject forward early next Session and divide the House upon it.

MR. SIDNEY HERBERT remarked, that the assertion of the exclusion of Irishmen was rather unjust. The head of the Cabinet was an Irishman; and there were several Irishmen on this Committee,—among them he might mention Mr. Sidney Herbert.

MR. VINCENT SCULLY said, he had never heard the fact just stated; he was glad to salute the noble Lord (Viscount Palmerston) and the Secretary at War as brother Irishmen.

Select Committee *appointed:—*

"To prepare Estimates of the Charge of the Disembodied Militia of Great Britain and Ireland, for the year ending on the 31st day of March, 1860."—Mr. Secretary SIDNEY HERBERT, General PEEL, The JUDGE ADVOCATE, Sir GEORGE LEWIS, Mr. ELLICE, Sir JOHN RAMSDEN, Mr. CLIVE, Colonel KINGSCOTE, Colonel WILSON PATTEN, Colonel SMYTH, Colonel PINNEY, Colonel NORTH, and all Colonels of Militia:—Five to be the quorum.

ROMAN CATHOLIC CHARITIES BILL.

LEAVE. FIRST READING.

SIR GEORGE LEWIS, in moving for leave to bring in a Bill to amend the law relating to Roman Catholic charities, said that for some years past an annual Bill had been passed to withdraw Roman Catholic charities from the general law by which all charities were subjected to—the jurisdiction of the Charitable Commissioners. The reason of that exemption had been that in many cases the Roman Catholic charities contained trusts which the law denominated as uses of a superstitious character, and, therefore, void by the existing law; and it was thought that if those trusts were brought, without some cautionary legislation, under the jurisdiction of the Charitable Commissioners, they would be invalidated, and that thereby inconvenience would ensue contrary to the intention of the original founder. Promises had been made at different times that this exception should be put an end to, and that provisions should be proposed to the House which would have the effect of remedying the inconvenience in question, at the same time that the Roman Catholic charities should be brought under the operation of the existing law. Up to the present time, however, that object had not been effected; and what he (Sir G. Lewis) now proposed was, that the necessity for that annual exemption should be superseded, and that an enactment should be established which should have the effect of converting those Roman Catholic charities which were contrary to the existing law to purposes consonant with the existing law, while they still retained their Roman Catholic character; that was to say, that the Court of Chancery or the Charity Commissioners should, in cases where the trust either covered the whole estate, or where it was mixed up with a lawful trust, have power to apply that portion of the endowment, in the case of its being a mixed trust, or the whole in case of its being an unmixed trust, to a charitable purpose that was lawful according to the existing law, at the same time maintaining its exclusively Roman Catholic character. That was the principal object of the clauses which he now sought to introduce. He also proposed that there should be a clause by which validity should be given to uninterrupted usage where it had existed for twenty years.

Mr. KINNAIRD said, he was glad that the Government had resolved upon the introduction of this Bill. All he now asked was, that they would give sufficient time for considering the measure, and that the country might see that it did not involve any principle the recognition of which might be the cause of regret hereafter.

Mr. VINCENT SCULLY said, he trusted that Irish Members, from not opposing the introduction of the Bill, would not be considered to have assented to its principle. Any doubt he might feel arose from the approbation expressed by the hon. Member.

Leave *given*.

Bill to amend the Law relating to Roman Catholic Charities, *ordered* to be brought in by Sir George Lewis, and Mr. Clive.

Bill *presented* and read 1°.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, July 26, 1859.

Minutes.] Public Bills.—1ª Consolidated Fund (£7,000,000); Westminster New Bridge; Pawnbrokers; Universities (Scotland).

3ª Lands Improvement Company; Sale of Gas; Speaker of the Legislative Council (Canada); North Western Territories (British America); Public Health.

Sir George Lewis

MIDDLE-CLASS EDUCATION.

PETITION.

Lord BROUGHAM,* in *presenting* a petition on Middle-class Education, said, that he had, last night, understated the number of petitions and signatures, as he only referred to the 120 which he had then presented. But, altogether, there have been presented to the two Houses, last Session and this, petitions on this subject signed by about 40,000 persons. He had further to state, as a considerable encouragement to the granting what the Petitioners prayed, and in justice to them and other friends of improved Middle-class Education, that the directors of some establishments, which took an interest in the subject, were willing to assist by making their seminaries subservient to training teachers. He particularly might mention the Brighton College, under the patronage of the Bishop of Chichester. Having rendered justice to these meritorious persons, t is fit, (he said,) that I do the same by others of a more exalted class and greater influence on the happiness of the world. When, five years ago, I illustrated the humanizing effects of instruction, it appeared that, taking the best educated country and the worst, the United States and Russia, it appeared that in the former (America) the proportion of crimes attended with violence to all offences was one in twelve; in the latter (Russia) three in five—more than one-half, instead of one-twelfth. But it is most gratifying to find that the Emperor of Russia is engaged, and has been for upwards of a year-and-a-half, in the great and good work of emancipating the serfs—a measure of which the difficulty cannot be denied, but there are sanguine hopes entertained that he will overcome all obstacles to this happy consummation. The Emperor of Austria has announced his resolution, now that the late lamentable war has ceased, to devote his efforts to the improvement of his domestic institutions. It is impossible too highly to commend the manly tone of his proclamation, the honesty as well as wisdom which pervades it, admitting fairly his having been worsted in the campaign, and announcing his resolution to make the institutions of his empire more in accordance with the enlightened spirit of the age. All the advocates of sound principles, the friends of human improvement, must feel great satisfaction at such tributes to their views of policy as are thus paid by Russia and Austria.

SALE OF GAS BILL.

THIRD READING.

Order of the Day for the Third Reading read.

LORD REDESDALE, in moving the third reading of this Bill said, that gas was the only article sold by measure for securing the accuracy of which measurement there existed no legislative provision. That was the more remarkable inasmuch as the annual value of the consumption of gas throughout the kingdom was about £5,000,000. The object of the Bill, he added, was to bring the sale of gas under the provisions of the Weights and Measures Act, the machinery of which had been imported into it with that view. There were, doubtless, some difficulties in the application of the Act to this somewhat new article of consumption. One of these was the selection of properly qualified persons to be inspectors, and therefore the Bill provided for the appointment of inspectors within a period of nine months after the passing of the Act.

Moved, That the Bill be now read 3^a.

LORD KINNAIRD said, the provisions of the Bill struck him as most objectionable, inasmuch as they imposed a considerable burden on the county rates, and he was not aware that their Lordships possessed the power of inflicting a tax of that nature. The machinery which would be required to carry out the working of the Bill was most expensive, and the inspectors whose appointment was contemplated would require to be persons of extensive scientific knowledge. He thought that the expense of inspection, particularly in scattered villages, ought not to be thrown on the ratepayers generally, but on the consumers of gas, who were the only persons who would derive advantage from the inspection. In Scotland, owing to the description of coal from which the gas was made, it was four times as pure as in England; notwithstanding which the Bill not only provided for inspectors, but for costly appeals from their decisions. He trusted the noble Lord would not press the Bill until time had been allowed for the consideration of its provisions. If the noble Lord persevered, he would move that the Bill be read a third time that day three months.

Amendment *moved*, to leave out "now" and insert "this Day Three Months."

THE EARL OF DONOUGHMORE was understood to express an opinion that the House ought not to pass the Bill without further information.

THE LORD CHANCELLOR said, that gas was a commodity, and might be as much a subject of larcency as wine or milk, and it had been so ruled by the Judges; and it appeared from the cases which had come before the Queen's Bench, that the companies were often grossly defrauded. He trusted, therefore, that before their Lordships assented to the Bill, they would take care to render its provisions as perfect as possible, for the protection of the companies as well as of the consumer.

LORD STANLEY OF ALDERLEY explained, that persons availing themselves of the services of the inspectors would have to pay fees, which would probably be equal in the aggregate to the salaries of those officers, and therefore little or no expense would be thrown upon the county-rate. Under these circumstances he recommended his noble Friend to withdraw his Amendment.

Lord REDESDALE and Lord EBURY also pressed the noble Lord to withdraw his Amenment.

LORD KINNAIRD said, that as it appeared to be their Lordships' wish, he would consent to do so.

Motion by Leave of the House, withdrawn.

The Motion *agreed to.*

Bill read 3^a accordingly.

Amendments made.

Bill *passed*, and sent to the Commons.

CHURCH EXTENSION.—SPIRITUAL DESTITUTION IN LARGE TOWNS.

THE BISHOP OF LONDON rose pursuant to a notice he had given to present Petitions praying that measures may be taken to oblige the Ecclesiastical Commissioners to admit local claims on the property in their hands and for the Promotion of Church Extension. The right rev. Prelate said, he had been entrusted with various petitions on the subject of the spiritual destitution of large towns, especially in the manufacturing districts of England. Three of these petitions were from the county of Durham, and one of them was from the Church Building Society of Llandaff, and the other—the most important in his estimation—was from the London Diocesan Church Building Society. The object of the petitions was similar, and was intended to draw the attention of their Lordships to the Report of a Select Committee which sat last year, and which produced a very voluminous and interesting report which had a very great effect on the country at large. The petitioners were afraid that no results would follow from the report of that Select Committee. It was not unusual to find a disagreeable subject shelved by being referred to a Select Committee up stairs, and he was afraid that there was some reason to believe that the very important question which the Bishop of Exeter brought before them last year would be in that way shelved. The petitioners prayed, not that Parliament by legislation should interfere with voluntary efforts for the support of religion, but that their legislation should be so conducted as to give full scope to these voluntary efforts. They prayed also that that portion of the Ecclesiastical Commission which was now entrusted with the department of church building should be a separate department. They complained of the difficulties that often stood in their way by the vexatious investigation of the titles of land given for the purposes of church building, and they prayed that facilities might be given on that point such as were possessed by the Enclosure Commission. They also prayed for a relaxation of the Mortmain Act, so that tenants for life should have fresh powers to be able to grant sites. But the point of the greatest practical importance in the petitions was connected with a decision to which last summer their Lordships had come with reference to the mode of disposing of Church property by the Ecclesiastical Commissioners. The Select Committee to which he had referred having received a great deal of evidence as to spiritual destitution in the metropolis and other places, were of opinion that the mode in which the funds at the disposal of the Ecclesiastical Commissioners were distributed by Act of Parliament was not the best. It was felt by the Committee that when the Church possessed property in districts where circumstances led to the accumulation of large masses of the population on the spot, the first purpose to which that property should be applied was to relieve the spiritual wants of the people there accumulated. He might mention, as an illustration, one of the parishes in the diocese of Durham, from which he had presented a petition, in which the population had increased since the discovery of mines from 500 to 13,000. The first object should be to apply the property of the Church in that district to the spiritual wants of that mining population. He was informed that the proprietors of the mines were the Ecclesiastical Commissioners. He was himself a Commissioner, and he did not, in what he said, wish to be understood as casting any blame upon that body; but the fact was that £150 annually was all that was secured to the clergyman in this mining district, the population of which had increased to 13,000. If discontent existed on that head he granted it was unreasonable to attribute it to the Commissioners, who were bound to act in a certain way by an Act of Parliament, which did not authorize them to consider local complaints unless the property in question was tithe property. Now when this subject was brought before the Select Committee a resolution was passed recommending that the law should be altered with regard to it. In this metropolis the Ecclesiastical Commission, in connection with a single stall in St. Paul's, was in possession of an annual rental of £7,000, with a certainty that this rental would soon increase to £60,000, and it was not likely that voluntary subscriptions would be raised to relieve the spiritual wants of a district in which the Church was known to possess property to that amount. Most wisely, in his opinion, giving way to this feeling, the Select Committee on Spiritual Destitution recommended that in future legislation in regard to the Ecclesiastical Commission a clause should be introduced to make it incumbent on the Commission to attend to the local claims of those places in which the Church had property, whether that property was in tithes, lands, or houses. He did not mean to say that this should apply to the Church property in a rich parish like Paddington, but to places where there was actual spiritual destitution. The same opinion was expressed by another Select Committee which sat on the subject of the Ecclesiastical Commision in the same Session, who gave their attention to a Bill to enable the Commission better to administer Church property. A Bill was accordingly drawn embodying their Resolution, which had given great satisfaction to the working Clergy of the poorer districts; but in the Session before last it fell to the ground before receiving the Royal Assent. Next Session another Bill was introduced, but it was the same Bill only in appearance, and kept the word of promise only to the ear. It was introduced by the right hon. Gentleman who was Home Secretary at the time; but, instead of making it imperative on the Ecclesiastical Commissioners to consider the spiritual wants of such localities as those to which he had referred, it gave them a permissive power to do so or not. Now, in dealing with a corporation there was a vast difference between giving them a permissive power and commanding them to act in a certain way. It was sometimes questioned whether corporations had consciences. That was a difficult point to decide; but this was perfectly certain, that if the officials of a corporation had a strong opinion one way, and you gave them the power of acting in another way, you had very little chance of inducing them to act in the way you wished. For some reason or another it was certain that the officials of the Ecclesiastical Commission had a strong objection to any relaxation of the present law on this subject. They probably did not wish that any part of the vast sums which were accumulating in the hands of the Ecclesiastical Commission should be so distributed among the incumbents of parishes that needed help as to be settled upon them for ever. They preferred having a large common fund in their own hands. That Bill, however, from whatever cause, like its many predecessors, did not become law. Another Bill had now been framed; but the petitioners prayed their Lordships not to sanction that or any other Bill on this subject which did not contain the clauses that had been deliberately recommended by two Select Committees of their Lordships' House. The petitioners prayed their Lordships to remember that in all legislation for the Ecclesiastical Commission the first thing they had to consider was the spiritual destitution of the country. In his opinion the Bill now before Parliament would confer new power on the Ecclesiastical Commissioners. [Earl Granville said it was irregular to discuss a Bill not yet before their Lordships.] He would, then, make no further allusion to that Bill, except to express a hope that their Lordships would read it with great care when it came before them. If that or any other Bill that might come before their Lordships enabled the Ecclesiastical Commissioners to get out of a difficulty, and gave them the power of doing what they now could not do, and did not provide for the spiritual destitution of the country, by a more considerate attention to the claims of the places in which Church property was situated, he trusted they would hesitate very much before they gave it their assent. He regretted to say that no large measures were ever introduced to extend the efficiency of the Church of England. The object of most measures with regard to the Church was either to cut down a canonry of £1,200 a year to £1,000, or to cut a large living into three small ones. These, of course, were important objects, but they did not really touch the spiritual destitution which was abroad in the land. The inhabitants of this metropolis were increasing at the rate of 60,000 a year, and all the churches (200) that were built by his immediate predecessor were insufficient to overtake the growing wants of the community. It was true that individuals had exerted themselves greatly in this matter; but it was felt that unless their Lordships endeavoured to give free scope to voluntary efforts, so as to enable those who were willing to make such efforts to do so with some chance of success, there was great danger of this metropolis falling into a very alarming state. Much as their Lordships' attention was engaged by questions of foreign policy at this moment, he hoped that the more important question of the spiritual condition of this great metropolis and of the country at large would not be forgotten, and coinciding with the petitioners, he most earnestly entreated their Lordships to give encouragement to the many noble-hearted individuals who were now ready, as they had been in times past, to do what they could to remove the difficulties which stood in the way of voluntary efforts for meeting the spiritual destitution of the country. As attempts were being made to abolish church rates, it was important to bear in mind that those rates yielded £100,000 a year more than the Ecclesiastical Commissioners had been able, during the many years since their appointment, to accumulate for annual distribution.

THE EARL OF CHICHESTER said, he thought it right that their Lordships' minds should be disabused of some misapprehensions contained in the petition which had been presented by the right rev. Prelate. He (the Earl of Chichester) felt as strongly as the right rev. Prelate the great importance of fairly and anxiously considering the spiritual destitution which prevailed in the metropolis, and no one was more desirous than he was of giving his assistance, whether in his legislative or his private capacity, for the removal of the evil. With all deference, however, to the respectable gentlemen forming the committee of the society whose petition had just been laid on the table, it would appear that they had not secured the confidence of the wealthy Churchmen of the diocese, the subscription they had received amounting to a miserably small sum, considering the extent of the district in which they were collected. He believed that if they had obtained public confidence the subscriptions would have been vastly more considerable, though he was quite unable to say on what grounds that confidence was withheld. The right rev. Prelate had often said that the Church must look to the liberality of its own members to supply its deficiencies; but the petitioners, passing over that suggestion, expressed in very intelligible language their desire for some legislative enactment not merely for facilitating the raising of voluntary contributions, but for adding to the endowments of the Church. The petitioners also recommended that in order topromote church extension facilities should be given for the conveyance of sites, and they stated their opinion that the Ecclesiastical Commissioners, being over-burdened with the task of managing church estates, should devolve the duty of superintending the conveyance of sites, to a separate branch of the Commission. That part of the petition showed that the petitioners could have had no communication with the right rev. Prelate, himself an Ecclesiastical Commissioner, or they would have learnt that the business in question was at present conducted by a distinct department of the Commission. It had in the office not yet been found by those connected with that body that the labour thrown upon it was greater than could be performed by a single Commission. Some complaint had been made as to the manner in which the Commission inquired into the titles of grantors; but it was evident that considerable misapprehension existed on that point. The legal expenses connected with these investigations of title—a very fair criterion as to whether they were conducted in a vexatious or dilatory manner or not—were very moderate indeed. In nine cases out of ten the inquiry instituted was more a matter of form than anything else; but in a few instances the titles were evidently of a questionable character, and of course there was some trouble incident to their proper investigation. The petitioners suggested that the provisions of the Enclosure Commission Act should be extended to the case of sites granted for the building of churches. Now, that Act contained a clause enabling land to be given in exchange for land of equal value and for giving a secure title to the land so dealt with; but it also provided that any land so taken should be saddled with any mortgages or other charges to which the property for which it had been exchanged was subject. That proviso, however, would not apply to the case they were now considering. It was no doubt a very convenient and proper provision in cases of exchange, but simply and altogether inapplicable to a grant of land on the sale of it for a money consideration. With regard to the practice under existing statutes he would observe that when a site was to be conveyed by the grantor to the Ecclesiastical Commissioners, on which in a year or two an outlay of £5,000, £10,000, or even £20,000, might be laid out, it was surely important that those who subscribed their money for the erection of a church should have some security that they would not afterwards be disturbed in the possession of the property. It was on this account that some precautions as to title was considered necessary.

Lord EBURY said, that as the noble Earl had spased some scrictures upon the society to which he belonged he thought it right to make a few observations for the purpose of setting that society right with the House and the country. If that society did not possess the confidence of the public they would not have been able to deal as largely as they had done with the spiritual destitution which existed in the metropolis. The noble Earl had attributed to the society a desire to obtain a grant from Parliament. Now there was nothing of the sort mentioned in the petition, and the words "open manifestation on the part of Parliament" simply referred to the legislative measures which Parliament might in its wisdom adopt. He could assure his noble Friend that the society had no idea of asking for a grant; and he (Lord Ebury) would for himself exceedingly deprecate a grant of public money, because it would put an end to that individual flow of liberality which had recently been experienced. It was alleged that the society promoted only the building of churches; the fact was that besides building churches one of their functions was to provide stipends for missionary curates to build up the spiritual church in destitute districts before the material one was erected. It would be more properly denominated the Parochial Extension Society, its grand object to divide the enormously overgrown parishes of the metropolis into something like manageable partitions. With regard to the often-contested point of giving attention first to local claims, Committees of both Houses had recommended the principle, and the Earl of Derby, accepting the recommendation, had inserted in it a Bill which was then before their Lordships. The Bill passed that House by acclamation, and he had never been able to imagine what had induced Mr. Walpole to withdraw it when it reached the House of Commons. He hoped the present Government would take the matter into their consideration, and again bring forward that Bill. The spiritual destitution in the metropolis was very great, and few who had not inquired into the matter had any conception of its real extent. They were soon going to grant a considerable extension of the political franchise, and they might depend upon it that the opinion of the middle classes, or rather the lower middle classes, would be the ruling opinion of the country hereafter. He would ask their Lordships to consider the probable consequences of that extension with education at its present low ebb, among a great mass of the people—for spiritual destitution did not imply simply an absence of religion, but also an absence of that early education and moral teaching which constituted an invariable corollary of the parochial system.

The Bishop of OXFORD said, there was one point alluded to in the course of the discussion, upon which he was anxious to say a single word. He trusted that any Bill coming up from the other House, or which might be passed by this House, would contain the full recognition of the local claims which that House had twice so emphatically by its Select Committees pronounced to be claims of justice and right. There was a great misapprehension as to what that claim was. The local claim was not in any sense a claim to give the whole property to the place in which the property itself was situated. It was simply this, that the spiritual necessities of the place in which the income arose should first be considered. He thought it required no inconsiderable amount of hardihood for any one to stand up in his place there and to say it was just or right to give the property of the Church away to distant localities, whilst no consideration was recognized as to the spiritual wants of the place itself. They heard on every occasion the trite saying, that property had its duties as well as its rights. Could it be right, he asked, that in respect to property held in right for the spiritual welfare of the land that great and universally admitted canon should be ruthlessly set aside? Could it be justified that, seeing the property of those parishes set apart for the spiritual benefit of the people, that men who were living on the estate, and who actually furnished the money, should receive no consideration as to their spiritual necessities in the voting away of those funds? It seemed to him to be a proposition which, when robbed of its entanglements, it was impossible for any man soberly to maintain. They had been told that the principles on which the Ecclesiastical Commission proceeded were the principles laid down for their observance when Parliament sanctioned their appointment. Now, that observation might be very true; but it should be recollected that those principles had been laid down in a state of uncertainty as to the degree to which the claims might be urged—they might have taken up the whole fund, and so have rendered relief to distant places impossible. That difficulty was now solved. There was no doubt that after the local claims were satisfied there would remain a considerable surplus for distant places. They did not ask Parliament to stay the flow of that surplus to distant places. All they asked was, that according to every principle of justice the place where the property itself was situated should have its own spiritual necessities first considered. He earnestly pressed that question upon the Government for this reason; if the Session were earlier, and that they could secure a full House—if that House which had already expressed its opinion upon the question could be again called upon to consider it, he could not for a moment doubt what that opinion would be. But it was possible in the present state of the Session for a Bill to pass this House and be supported by the Government, which would not be allowed to pass at an earlier period of the Session. He thought, therefore, that great responsibilty rested on the Government, and that they should not allow any principle to pass in a Bill which they could satisfy themselves would not have been suffered if the House were in a position to express a deliberate opinion upon it. He earnestly pressed those points on the attention of the Government on behalf of numbers of persons who considered that they had just claims to their consideration; and the refusal of which was doing the mischief already pointed out. It was alienating a large amount of the population from their legislation, and was preventing the voluntary contributions of persons who were angry at this refusal. He pressed upon the Government the necessity of considering this question with the view to a satisfactory settlement of it. He pressed upon the Government the favourable consideration of the claims which not only the rights of conscience, but also the expressed opinion of the House, would justify them in acceding to.

Lord REDESDALE thought that the local claims of the people from whom the property was derived should be especially considered. He believed it would be but just to admit the particular provision indicated in the speech of the right rev. Prelate, and to draw a distinction between diocesan and parochial claims.

Earl GRANVILLE said, the question before their Lordships was clearly one as to the best mode of supplying the spiritual destitution which now existed, and he agreed with a noble Lord who had spoken that much might be said on both sides. He thought it would be undesirable to give to the Commissioners powers of doing that about which there was no dispute. He thought that the peculiar features of the question had been very fairly stated; but he must add, that the Government were not yet prepared to act definitely on the propositions that had been suggested.

Petitions ordered to lie on the table.

House adjourned at half-past Seven o'clock, till To-morrow half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, July 26, 1859.

Minutes.] Public Bills. — Universities (Scotland); Fishing Vessels passing the Nore.

VALE OF LLANGOLLEN RAILWAY.

LORDS' AMENDMENTS.

Order for considering the Lords' Amendments read.

Amendment (Clause A.) read.

Mr. WHALLEY said, he rose to move an Amendment. The Bill proposed to make a railway from Ruabon to Llangollen, and in its course would pass through ornamental ground—a park belonging to himself. He had opposed the Bill by counsel both in this and the other House of Parliament, and in the Committee of the House of Lords an Amendment had been introduced, ostensibly to protect his interests, which really would afford him no protection whatever,

Amendment proposed, to add at the end thereof, the words,

> "Provided nevertheless, That, except for the construction of a double line of Railway, the Company shall not take in such properties, or either of them, any land, except such as shall be certified by the Board of Trade to be necessary for works actually required by the Company for the purposes of the traffic upon the Railway."

Mr. HENEAGE said, he wished to state that as one of the Committee which had considered this Bill he saw no objection to the proposed addition.

Colonel WYNNE observed that he would resist the proposed addition, on the ground that the matter had been fully inquired into.

Mr. MASSEY said, he thought it was not the practice of the House to revise the proceedings of its Select Committees, for to do so would take away all confidence in the decisions of those bodies.

Lord ROBERT CECIL said, he wished to call attention to a point of interest. The hon. Member for Peterborough (Mr. Whalley) had admitted that he had a personal interest in the subject under discussion. It was a rule of the House that no hon. Member could vote on any matter in which he had a personal interest. That being so, he would ask was it competent for the hon. Member to make a Motion in such a case?

Mr. SPEAKER said, there certainly was a rule of the House by virtue of which the hon. Member for Peterborough could not vote upon a subject in which he was personally interested, and he had received an intimation from the hon. Member that it was not his intention to vote upon the question. There was also a rule that hon. Members could not present petitions from themselves to that House, and it was certainly not at all in the ordinary course of proceeding that a matter of immediate personal interest should be conducted by the hon. Member actually interested; but, with the reservation of not voting, he (Mr. Speaker) could not say there was anything absolutely out of order in the course taken by the hon. Member for Peterborough.

Mr. WHALLEY said, he wished to explain that in moving himself in this matter he acted on the advice of his Parliamentary agents, who had cited high precedent for that course. In adopting it he did not do so for the purpose of influencing the House to a greater extent than they would be under other circumstances, but because he thought it would be more respectful to move the Amendment himself.

Question put "That those words be there added."

House *divided:*—Ayes 69; Noes 148: Majority 79.

Lords' Amendment *agreed to.*

LONDON (CITY) GAS BILL.

CONSIDERATION.

Order for Consideration read.

COLONEL FRENCH said, that in the absence of the hon. and learned Member for Suffolk (Sir F. Kelly) he wished to move that the Bill be recommitted to a new Committee, to be appointed by the Committee of Selection, and that the Committee have leave to sit and proceed on Friday. He founded the Motion on the ground that the Chairman of the Committee had prevented the continuance of a certain course of examination, the object of which was to show that, while the Gas Clauses Act of 1847 restricted other gas companies to a profit of 10 per cent, requiring that any further profit should be applied to the reduction of the price of gas, the City Gas Company had deprived the public of that advantage by increasing their capital by surplus profits from £200,000 to £300,000. The opponents of the Bill considered the course taken by the Chairman of the Committee as tantamount to a denial of justice, and he consequently moved that the Bill be recommitted.

MR. ROEBUCK seconded the Amendment.

MR. BARROW said, that as the Chairman of the Committee by whom the Bill had been considered, he felt bound to oppose the Motion. He would acknowledge the courtesy of the hon. and gallant Member in giving him verbal notice of his intention to make this Motion; but at the same time he must complain that notice had not been given to the other Members of the Committee, who were therefore not present to oppose it. The Committee over which he had presided were perfectly unanimous in the decision to which they had come; as, he believed, were the Committee of the House of Lords, which had considered the question previously. The opponents of the Bill attempted before the Committee, by a cross examination of the first witness, to show that the company had received large profits and bonuses in bygone years, but the continuation of that line of examination was deemed irrelevant by the Committee, as they considered that the main question for their consideration was whether the sanitary condition of the metropolis would justify the retention of the gas works in the present locality within the limits of the City of London and in the midst of a dense population. The Committee had certainly declined at that stage to go into the secondary question of pounds, shillings, and pence. They had received the most satisfactory evidence from scientific men of the highest character that the works of the company were conducted in a most satisfactory manner, and that the health of the neighbourhood was not in the least degree affected; also that the police on duty in the district, who were said to be sufferers by gas works, were, on the contrary, the healthiest section of the City police. The Committee had reduced the maximum price of the gas, and had added clauses to ensure its greater purity; and, having taken such steps to protect the public interests they were of opinion that the Bill should pass. Under these circumstances he trusted the House would support the decision of their Committee.

MR. MASSEY said, he must oppose the Amendment. He thought the proceeding suggested by the Amendment was as unprecedented as assuredly it would be inconvenient. The Committee to whom it was proposed to refer the Bill would not be vested with greater powers than those which the Committee who had considered the Bill were possessed of. He could understand a proposition to refer the Bill back to the same Committee, but it would be a reflection on that Committee to adopt the Amendment, while no satisfactory result could follow from such a proceeding. The appeal asked for was not one from an inferior to a superior jurisdiction, but from one jurisdiction to another on an equality with it. In his opinion, however, no case for a reference had been made out.

MR. ROEBUCK said, there was no imputation whatever sought to be thrown on the Committee by the present Amendment. All that was imputed was simply a mistake of judment. When there was an appeal from the Chief Justice of the Queen's Bench, the matter was remitted back to the whole Court, and no imputation was thought to be cast on the Judge by that course of proceeding. He was greatly surprized to hear from the hon. Member that the making of gas was not injurious to health. Any person who lived in the neighbourhood of King's Benchwalk would bear very different evidence. Hon. Members of that House complained of the bad smell proceeding from the Thames. He had no hesitation in saying that the bad smell of the Thames was greatly caused by the refuse of the gas companies flowing into it. He cordially supported the Amendment.

Mr. BARROW said, that that evidence had satisfied the Committee that no offensive refuse from the gas works was discharged into the Thames.

Mr. EWING said, that three barristers, who lived within 150 yards of the works, and a number of chemical witnesses were examined by the Committee, and their evidence was to the effect that no disagreeable effects were experienced from the gas works, in consequence of the efficient way in which they were conducted. The surgeon of the police force in the neighbourhood likewise declared that the police suffered no inconvenience in respect to their health from the works. The refuse of the gas did not go into the Thames, but was carried away in close vessels. As a Member of the Committee he should strenuously oppose the Amendment.

Colonel NORTH said, that no less than seventy-eight barristers residing in the Temple, 453 householders in the neighbourhood, and 692 consumers of gas had signed a petition in favour of the company. He had been over the building, and thought it was impossible for anything to be better conducted. There was no smell of any description whatever, and he trusted the House would not allow the Bill to be referred back to a Committee.

Mr. W. WILLIAMS said, he attributed the Opposition to the Bill to a rival company. It was an extraordinary proposition, after one Committee had been appointed by the House to try the matter, to refer the Bill to another.

Sir GEORGE LEWIS thought it was hardly fair to say that the opposition to the Bill was wholly interested ; for he believed that there was an opposition on the part of the Corporation of London founded on public grounds. At the same time he should support the decision of the Committee unless some extraordinary ground was alleged for referring the Bill to a new Committee. The ground in this case was that the company in going before the Committee for a renewal of their term, and seeking to convert it into a perpetuity, alleged the great expense they would be put to in removing their works, and that evidence was excluded by the decision of the Committee which would have shown that, great as that expense might be, the profits of the establishment had been proportionate, the Committee resolving only to listen to evidence on the question of the public health. He did not dispute that the Committee had a discretion so to decide, though he had considerable doubts whether they arrived at a correct decision, but he was not prepared to say that he would give his vote in favour of the present Motion.

Mr. EDWIN JAMES observed, that when a new trial was moved for in a court of law, the Judges decided on that Motion by reference to the evidence previously given, but the House was now called on to decide in favour of a new inquiry without being in possession of the evidence taken by the former Committee. If there were any nuisance created, the company could be indicted. He was informed there had been an indictment and a conviction standing over, but that told in favour of the company, for if the nuisance had not been abated, the conviction could have been enforced at any moment.

Motion made, and Question—

> "That the Bill be re-committed to another Committee, to be appointed by the Committee of Selection, and that the Committee have leave to sit and proceed on Friday."

put, and *negatived.*

Bill to be read 3°.

CHURCH-RATES ABOLITION BILL.

COMMITTEE.

Order for Committee read.

Sir JOHN TRELAWNY said, that in rising to move that the House do go into Committee upon this Bill, he would appeal to the hon. Member for North Warwickshire not to press the Amendment of which he had given notice at the present stage, but to move it in Committee. That would be the more appropriate course.

Motion made, and Question proposed "That Mr. Speaker do now leave the Chair."

Mr. NEWDEGATE*: Mr. Speaker, I can assure the hon. Baronet the Member for Tavistock (Sir John Trelawny), that if I could propose the Amendments, of the substance of which I have given notice, in Committee on his Bill, consistently with the Rules of the House, I should not have adopted a course which seems to offer an unwonted obstruction to his proceeding with his Bill; but the hon. Baronet must be perfectly aware that it is not competent for me to make the proposal I desire after the House has gone into Committee on the Bill. The hon. Baronet asks, "Why do you not bring in a Bill of your own?" My answer to that is very simple. This House—this new House of Commons—had not decided upon the abolition of church rates until the Bill of the hon. Baronet was read a second time; therefore the occasion upon which I wished to act had not arisen. Immediately that it did arise, I gave notice that I should adopt the course which I am now pursuing. I am sorry to hear from the hon. Baronet that, as at present advised, he will oppose my having the opportunity of submitting the Amendment of which I have given notice to a Committee of the whole House. It is true that, in the event of my Amendment being acceeded to, I should have to introduce a Bill founded upon it. I wish I could have his concurrence in doing so, for I beg the House to understand, and I beg the hon. Baronet to understand, that I am not now proposing to reverse the decision which has already been pronounced by the House; that I do not propose to touch one word in the hon. Baronet's Bill; and that, if my Motion is assented to, every word of that Bill will be re-introduced for the consideration of the House, but, of course, with the additions of that which I feel it to be my duty to submit.

Sir, you have been kind enough to warn me, that, in moving the Amendment of which I have given notice, in order to conform to the rules of the House, I must propose that the House should go into Committee to-morrow. I must, therefore, move:—

> "That this House will, to-morrow, resolve itself into a Committee, to consider the propriety of establishing in lieu of church rates, thenceforth to be abolished, a charge on all hereditaments in respect of the occupancy of which church rates have been paid within the last seven years, such charge to be levied with the county rate, at an uniform rate of poundage, the occupier being in all cases entitled to deduct from his rent the amount of the charge levied on his occupation."

That, Sir, is the substance of my proposal. It is true that the notice which I have given proceeds further to indicate the mode in which that proposal may be most conveniently carried out; but my object is to accept the decision of the House, that church rates should be abolished—that they should be totally abolished, and unconditionally abolished, wherever they have not been levied for a series of years. I grant that in this metropolis: I acknowledge that in Birmingham, in Leeds, in Manchester, and in many other large towns, church rates have been so long discontinued, that property in these places has gained a sort of prescription in support of its exemption. I will not now enter into all the reasons why the inhabitants of these places have abandoned their right to levy church rates, and have thereby increased the value of property to the owners; but the simple fact is, that the inhabitants of a number of these populous places have opposed church rates, because the great body of them were without church accommodation, and therefore derived no benefit from the impost. They simply refused to pay for accommodation which they had not. But the cases with which I contemplate dealing are totally different.

The Bill of the hon. Baronet, if carried out in its present shape, would not only sanction the abolition of church rates in those large towns and populous parishes, but would wrest from 80 per cent of the parishes of the country, including all the rural districts, the right of their inhabitants to levy upon property—for they are a charge upon property—the rates which provide the means of maintaining the churches, in which they worship; and in the rural districts especially the Church of England is the "poor man's church." It is for the "poor man's church," then, that I contend; it is for the means of the religious instruction of the poor, and of the great body of the inhabitants of the rural districts of England, chiefly, that I, on the part of the landlords of England—and I hope I speak their sentiments in this matter—reject the advantage of our property which we might derive from the total abolition of church rates without the provision of a substitute.

I shall not now go deeply into the question whether church rates are a charge upon property. Legal questions and legal quibbles have been raised upon the point, but the plain fact, which is well known to every landlord in the kingdom, is, that these rates are considered in every agreement for letting his property. It was stated by the late Sir Robert Peel in 1834, in most emphatic terms, that the incidence of this burden is considered in every sale of property. Sir Robert Peel was a man of wide experience, and he declared to this House, as a matter of his own knowledge, and from evidence that the value of every property when it went into the market, was affected by the question, whether there are or are not church rates levied upon the occupation of it. I say, therefore, that although my tenants and the tenants of many hon. Members in this House pay the rates, practically they are considered in our rent, and form a portion of the annual value which never did belong to the landlord, but which does belong to the poor and to the Church.

But I have said that I am ready to accept the decision of the House that church rates should be abolished. I repeat it. What I propose is a substitute; and my substitute is this: that a charge should be created upon all property, upon the occupation of which church rates have been levied within the last seven years. If the House will allow me to go into Committee on this question, I should propose that this charge should be at the rate of *2d.* in the pound, which, after long inquiry, I have ascertained is the average charge for church rates, where they have been levied for a series of years. This charge which I propose, then, in lieu of church rates, would be levied with the county rate. But I know that some misunderstanding exists upon this point. I am told, "Oh, but there is no separate collection of county rate! The county rate is levied by the collectors with the poor rate, and the county rate is only separated from the poor rate when it reaches the officers of the union, who then transmit it to the county treasurer." That is quite true. But I intend that this process should be pursued:—That the magistrates in counties and boroughs should issue precepts, under the authority of which the collectors should receive from the churchwardens a list of those occupiers, who are liable to church rates, and should then mark the names of these occupiers in the parish rate-books. The collectors would then, while collecting the rates, collect whatever poundage the House may decide upon for the church charge, in addition to the rates from the occupiers, who have paid church rates. Having done this, the collectors would make a list of the names of those persons from whom they had received sums on account of the church charge, with the sum thus received, appended to each name, and transmit these lists to the officers of the union, who in turn would transmit them and the amount levied as church charge, together with the county rate, to the clerk of the peace in counties, or the corporation treasurer in boroughs; and these officers would forward the amount of the church charge, and the accounts which accompanied it, to the governors of Queen Anne's Bounty. Thus the account of each parish would be kept separate.

I wish the House to observe that one of my objects is, that I desire to remove and put an end to the unhappy causes and occasions of discord which have so long existed upon this subject. Nearly all the difficulties connected with church rates have occurred in the assessment or levy; but if the House should think fit to sanction the plan which I propose, you would have no longer any separate assessment, while the levy being conducted by the same officers who are employed in the collection of the other rates would proceed smoothly. My scheme would tender to the whole body of occupiers, whether they be farmers, whether they be merchants, whether they be artisans, whether they be professional men, whether they be operatives, the means of exemption from this tax. If any one or all of the great body of occupiers feel conscientious scruples against paying for Church purposes, he or they would at once have the right to deduct the amount levied for those purposes from their rent, and so could secure their exemption from this charge as completely as they are now exempt from the payment of the property tax under Schedule A of the Act of 1842. So completely, indeed, do I go with the spirit and intention of the House with respect to conscientious scruples that I propose to give the means of exemption from this charge, which I suggest as a substitute for church rates to the whole body of occupiers in England and Wales, and thereby completely to annul all cause of complaint on the ground of conscientious scruples. That is one means which I recommend for the purpose of restoring peace.

Then, let the House observe, that so far as the collection of the proposed poundage is concerned, previous to the transmission of the amount to the governors of Queen Anne's Bounty, the whole process is a civil one. Up to this point I would have nothing to do with ecclesiastical authorities or ecclesiastical process except this: the rate collectors would receive the names of those who are liable from the churchwardens, and not until after the money has been collected into the hands of the clerk of the peace for counties, and into those of the borough authorities, will it be sent to the governors of Queen Anne's bounty, who, I believe, are the body best adapted of any now existing for the purpose of ecclesiastical distribution. It is one great object of my scheme not to create a new machinery; therefore I have selected the governors of Queen Anne's bounty to perform this function. Let the House consider of whom that body consists. It consists of the principal officers of State, of the Judges, of the Bishops, of the Lord Lieutenants of counties in England and Wales, of the Mayors of towns, and of Her Majesty's Counsel learned in the law. Now, that is by no means an exclusively clerical body; but it is a body which, ever since the reign of Queen Anne, has most honourably and efficiently dealt forth her bounty, and the funds placed at their disposal to the poorer parishes and poorer incumbencies of England and Wales, and has therefore an amount of information, applicable to the object I have in view, which is not possessed by any other body in the country. I consider, therefore, that this body is well qualified in every way to judge of and to administer the appropriation of the fund I propose to create for ecclesiastical purposes.

I propose, then, that the governors of Queen Anne's bounty should receive this fund; and further, in order to supplement, to strengthen, and to enforce the parochial system, that the incumbent and churchwardens of every parish or district, whether this charge applies to it or not, should be incorporated for the purpose of receiving benefactions and subscriptions applicable to the purposes of church rates, either in lieu of or in addition to the church charge I propose to create, or in commutation of that charge. I would give to the incumbent and churchwardens so incorporated a right to demand from the governors of Queen Anne's bounty in each year a sum equivalent to the amount which may have been paid upon the property within the parish or district for which they act. I have been told that difficulties might be raised by the inhabitants and landowners of some parishes, who would say, "We have never levied so much as 2*d.* in the pound for church rates. Our expenses do not require so much. We have hitherto been asked to raise only 1*d.* in the pound. Why, then, impose upon us a heavier burden than we are now called on to bear?" I have no wish to follow too closely the Scotch system; but in Scotland the Presbytery levies upon the heritors, that is to say, a body composed of clergy and laity levies upon the landowners whatever sum is necessary for the maintenance of the churches, chapels, and schools. Here, then, you have a precedent in force. Here is a precedent in practice to support the view, which I hope the House will adopt in reference to English property.

But I propose that no uncertain sum shall be levied on the property of this country by those who are not interested in it by possession. I propose a fixed sum of 2*d.* in the pound only should be leviable. Supposing, however, that it may be urged by some parishes, "We do not spend so much as 2*d.* in the pound annually." My answer is, "If you do not spend 2*d.* in the pound, then the surplus will be placed to the credit of your parish, and will be available at any time in case heavy repairs are required for your church, or the need for increased means of accommodation should arise in your parish; and, if no case of that sort arises, then this surplus will still remain to the credit of your parish in the hands of the governors of Queen Anne's bounty, and will form a fund which, as soon as it is sufficient either of itself or in conjunction with other means, shall be available for creating an endowment for the purposes of your church; and no sooner will that endowment have been created—and it will be the duty of the governors of Queen Anne's bounty to see that it is created—than the charge which I propose in substitution of church rates in respect of your parish will lapse." If, therefore, a parish is economical and spends little, the sooner will it be entirely relieved from this charge, while it will not be left without provision for the sustenance of the fabric of the Church and the conduct of public worship, but they will be supplied by means of the endowment created as I have described.

Sir, I know I may be told, "Yours is a very good scheme; but the House of Commons has determined upon the total and unconditional abolition of all such public funds available for the purposes of church rates." I am afraid that there is a certain number of Members of this House who have come to that decision; but my belief is, that it consists only of those who are altogether adverse to the continuance of an Established Church. I further believe their number to be small, though I know them to be able, energetic, and united. In the course of years that I have watched this question I have seen them induce Members, one by one, particularly on the other side of the House, reluctantly to join them in their propositions for the total abolition of church rates, not, however, without remonstrance. Only four years ago the right hon. Baronet the Member for Morpeth (Sir George Grey), who, I am sorry to find, has an engagement which precludes his presence here to-day, proposed to Sir William Clay, who at that time had the management of the church-rate abolition question in this House, that church rates should be retained to those parishes which desired to keep them, and Sir William Clay accepted that proposal. I regret that the majority of this House should now have receded from that decision; but I see that a change has occurred, and I see also that the proposal which was then made by the right hon. Gentleman the Member for Morpeth, might be offensive to those who have voted for the second reading of the Bill before the House. I say, then, abolish church rates; abolish the source of disquiet and discomfort which is incident to the levy of church rates; get rid of these questions which occasion the disturbance of religious feeling; meet all religious scruples; but, I pray you, do not deprive the inhabitants of eighty per cent of the parishes of the kingdom of those means which they now hold with the full consent of the landowners of those parishes for the maintenance of the fabric of the Church, and the conduct of public worship therein, without substitute and without equivalent. The right hon. Gentleman the Member for Morpeth, has said, and repeated over and over again—I have his words here—that if this House were to wrest the power of levying church rates from the majority of the people in the vast majority of the parishes who desire to retain that power, it would be a most arbitrary act. I also say that it would be an arbitrary act; but I say more. I say that the unconditional abstraction of this right, this privilege, this power, this possession from the inhabitants of parishes who desire to retain it, would be a most tyrannical proceeding; and my object is to provide that this shall not be done without a substitute. I have endeavoured to frame one, which I hope is not unworthy the consideration of the House.

I see the hon. Member for Hertfordshire (Mr. Puller) in his place. I shall never forget the ability with which, two years ago, he introduced a proposal somewhat analogous to this, but to which fatal objections were raised, that it included a uniform poundage over the whole property of the country, that it did not acknowledge the exemption of those places which can plead prescription against liability to church-rates, and that it would have invalidated the parochial system of the country, by aggregating the fund it would have levied into the hands of diocesan Boards, who would have administered it without the slightest reference to vestries, or the will of the respective parishes. I own I was not surprised at the feeling which found expressions in these objections; I entertained it myself. These were held to be objections fatal to the scheme of the hon. Member. The parochial organization of this country is just above the organization of the family, and, next to the organization of the family, is the most important element in our social system. Now, by my proposal, I do nothing to invade the parochial organization of this country; on the contrary, I propose to strengthen it. I would retain the function of the vestry in exercising their discretion and their choice with regard to the appropriation of this fund. I will not incur the danger of some fanciful landowner, or some misguided clergyman, dressing up the parish church at their will, contrary to the feelings of the inhabitants, in a manner offensive to their religious convictions. No, I would retain the right and the voice of the vestry in the appropriation of the fund, I would create, so as to retain the house of God suitable to the feelings of His worshippers.

I have now touched upon most of the points which are necessary to elucidate the scheme which I propose. I know it may be said that it is presumptuous on my part to undertake the settlement of a matter which has defeated many abler men; but I feel this: I am an independent Member of this House, and Bills for the abolition of church rates have ever been in the hands of independent members; and if the House has sanctioned on one side proposals for the abolition of church rates, when Bills for that purpose have been in the hands of an independent Member, why should they not sanction on my part, as an independent Member, a proposal which is equivalent to an Amendment upon the Bill of the hon. Baronet the Member for Tavistock? I know that some hon. Members will say: "Why all this machinery? why not trust to the voluntary system?" But those hon. Members must forget how much in this country already is entrusted to the voluntary system. In the Report with respect to the means of religious worship, which accompanied the last census, Mr. Mann, after consulting many writers on the subject, (and he is quoted in the Report of the Committee of the House of Lords on Provision for religious worship,) states that if the people are to be duly provided with the means of religious worship, there must be sittings for 58 per cent of the population. Now, are there sittings for 58 per cent of the population in the whole of England and Wales? No. The sittings provided by all denominations, including the Church of England, are only equal to 29 per per cent of the population, where they should be equal to 58. You rely, therefore, on the voluntary system to provide the difference between these proportions. Now, let the House take the case of London alone. What provision is there in the churches of the metropolis for its population? Why, for little more than 18 per cent of the population. The Committee of the House of Lords have reported that there are required for the diocese of London alone, for the accommodation of the people, and for providing them with proper religious instruction, no less than 350 new churches, and provision for no fewer than 527 new pastors. It appears, also, in that Report, that since the commencement of the century, £11,000,000 sterling has been spent in the erection of 3,150 churches, which makes the average cost of each church £3,490, or in round numbers £3,500. If, therefore, this diocese of London is to be supplied with church room, and it must be supplied by the voluntary system, this cannot be effected at a less expense than £1,222,000; and if the additional number of clergy is provided which the Committee of the House of Lords think necessary for the spiritual instruction of the people, and only £100 a year is secured to each of them, the endowment required for those clergymen would amount to £1,581,000. Thus, the voluntary system, in this one diocese alone, would, according to the Report of the Committee of the House of Lords, have to provide no less a sum than £2,803,000. While to provide the funds required to relieve the spiritual destitution of the whole kingdom would not fall far short of £6,000,000, an amount almost overwhelming. Now, what I suggest is, that where church rates have been long extinguished, to sanction their abolition; to confirm it wherever prescription is against their continuance. But I trust that the House will not go beyond that, and saddle the means which can be elicited by the voluntary system, in addition to provision for the already accumulated necessities of the population, with the burden of also providing for the maintenance of the churches, that 80 per cent of the parishes, including more than 60 per cent of the population, in which church rates have hitherto been levied.

That is what I ask. It is not as if there were no sphere for voluntary exertion in the country. I have looked into the matter attentively, and the fact is, that the cost of providing the present ascercertained deficiency which the voluntary system has left unsupplied in England and Wales cannot be estimated at less than £6,000,000. Is it reasonable, then, that to this deficiency, which is itself almost overwhelming, you should add the further necessity of providing for the maintenance of 80 per cent of the churches of England and Wales, while you reject the prayer of the population of the parishes in which church rates continue to be levied, who petition that you will not insist upon the abolition of their church rates, without giving them some equivalent for the means which are now leviable by law, in recognition of their ancient rights? I hope I have now shown to the House that I do not propose to violate its decision: on the contrary, that what I propose is, to accept its decision. But I ask the House to give some compensation for the injustice which the abolition of church rates, without a substitute, would inflict upon two-thirds of the people, by the abstraction, the arbitrary abstraction of the means which they have ever enjoyed, and the enjoyment of which they value. It is unnecessary for me to go into the question of the amount of the charge which should be created; for the right hon. Gentleman the Home Secretary concurs with me that the average of church rates, taken over some years, amounts to twopence in the pound.

I will therefore conclude by appealing to the House not to agree to that which they have been told by the late Sir Robert Peel, by the noble Lord the Foreign Secretary, by the right hon. Gentleman the Member for Morpeth, by the right hon. Gentleman the Secretary for the Home Department, by the leaders of the Liberal party, would be an arbitrary act; not to allow the people of this country to believe that this House, once set upon adopting a particular course, becomes the blind creature of faction, and deaf to the claims of justice on behalf of the great majority of the people. Depend upon it, that, if it once goes forth that this House will not consider the claims of justice, that it allows itself to be dictated to by faction, to be governed by extreme opinions, the period is not far distant when the majority of the people will seek a remedy, either in some sweeping change in the constitution of this House, or in some still wider, deeper, and, as I think, more damaging and lamentable change in the constitution of the country. I humbly and respectfully tender my Amendment to the House; moving it in the first instance only so far as the word "occupation," for I am not presumptuous enough to ask the House, at the present stage of the question, to sanction more than the main principle of the scheme which I have ventured to submit for its consideration.

Mr. SPOONER seconded the Amendment.

Amendment proposed,

"To leave out from the word 'That' to the end of the Question, in order to add the words 'this House will To-morrow resolve itself into a Committee, to consider the propriety of establishing in lieu of Church Rates, thenceforth to be abolished, a charge on all hereditaments, in respect of the occupancy of which Church Rates have been paid, within the last seven years; such charge to be levied with the County Rate at an uniform rate of poundage, the occupier being in all cases entitled to deduct from his rent the amount of the charge levied on his occupation, instead thereof,"

Mr. DODSON said, he must oppose the scheme which had been sketched out by the hon. Member for North Warwickshire. Other modes of arriving at an adjustment between conflicting opinions might have been proposed. The landowners might have been called on to redeem church rates by the payment of a fixed sum; but they would have been chary of supporting a proposition which would lead them into an expenditure which they desired others to share. He could never understand in what sense church rates could be said to be property belonging to the church. They only resulted from a power given to the people to tax themselves for certain objects. He would not enter upon the question of whether the rates were a charge upon property; but, even if they were, the charge was of so uncertain a character that it could not be estimated. The old arrangement that people should make a rate upon themselves was right when there was but one religion among them; but, now the Dissenters were legally acknowledged, the real effect was that some people voted a tax for others to pay. The question had come to such a point that it must either be settled as the hon. Baronet the Member for Tavistock proposed, or it must be enacted that the payment of church rates should be voluntary on the part of individuals.

Mr. HENLEY observed that the remedy proposed by the hon. Member for North-Warwickshire was worse than the disease it professed to cure. The imposition of a certain charge upon property would be a greater burden and cause more dissatisfaction than the present church rates. As a sincere Churchman he did not think the interests of the Church would be promoted by such a course, and believed it would be better to abolish church rates at once, after which it would be the duty of those who were attached to the Church of England to devise the best means of supporting her fabrics and conducting her services. When the Bill passed and this awkward question was set at rest, then the time would come for the sons of the Church of England to meet together, and fix upon some plan by which, through voluntary efforts, the fabric of the church might be maintained.

Sir JOHN TRELAWNY said, that the hon. Member proposed to alter the nature of the burdens, which was now a charge on the person, into a charge upon land. He must therefore oppose the Amendment, which, while it practically threw obstruction in the way of going into Committee, introduced a vicious principle of "counter irritation," the effect of which could only tend to occasion additional discontent. On the other hand his (Sir J. Trelawny's) object was to put an end to the excitement on this subject once and for ever, and by the agency of the voluntary principle in this matter, he believed that the Church would be placed in a better position. At present if an attempt were made to enforce a general payment of church rates all the gaols in the kingdom would not hold the defaulters, and the standing army would have to be doubled.

Sir MINTO FARQUHAR said, that though anxious to see the question of church rates settled, he could not support the Amendment of the hon. Member for North Warwickshire, to make that compulsory which was now somewhat voluntary in its nature. He believed that a large portion of the community was prepared to listen to a voluntary compromise on the question, and, considering the period of the Session and the fact that a Committee was sitting in the other House on the subject, he thought the hon. Baronet would do well to withdraw his Bill for the present. He was ready to meet the hon. Member in a liberal spirit, but he would not support a measure to do away with church rates without any equivalent whatever.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 191, Noes 99: Majority 92.

Main Question put, and *agreed to*.

House in Committee.

LORD JOHN MANNERS said, that as at that hour (half-past three o'clock) it was impossible to make any progress in Committee he would appeal to the hon. Baronet to postpone the Bill. It was perfectly clear that legislation on the subject could not be brought to a satisfactory conclusion in the present Session. A Select Committee of the House of Lords was inquiring into the whole subject, and that Committee had been appointed with the consent of the Government, some of the members of which were upon it. How could the hon. Baronet expose his new allies on the Treasury bench to the humiliating and mortifying position they must occupy if they were assenting parties to send up to the other House a Bill for the total and immediate repeal of church rates, when they themselves, by their colleagues in that House, were assisting in an inquiry on the subject? It would be treating not only the other branch of the Legislature but the Government and the question itself with great want of decorum if now, at the end of July, they proceeded, without due discussion and proper inquiry, to send the present Bill up to the other House. If these reasons were not sufficiently cogent he thought a glance at the host of Amendments on the paper would be sufficient. A principle Member of the Administration in that House alone had placed a "code" of Amendments on the paper, all of which it would be quite impossible to consider before the end of the Session. Moreover, it was not proper that this great question, which clearly ought to be in the hands of the Government, should be taken up in this piecemeal fashion, and that this gigantic inroad upon one of the oldest institutions of the country — the parochial system— should be made in the absence of most of the responsible Ministers of the Crown.

MR. VANSITTART said, that about twenty hon. Members who had been engaged in the Committee-rooms and in the library, had not heard the division bell before the division just taken and were thus prevented from taking a part in it.

SIR JOHN TRELAWNY said, that as an independent Member he did not think he was called on to withdraw his Bill on the grounds put forward by the noble Lord. He had been at all times ready to proceed with it, and it was not his fault that they were now at the end of July. It would be unwise in the House to lose further time in discussing whether they would go on with the Bill, instead of considering the Bill itself. He did not bring forward the Bill as a delusion or a sham, and it would be his duty to propose proceeding with it, from night to night, and hour to hour, until he got a decision on it.

MR. G. CLIVE observed, that in the Committee-room in which he had been engaged no division bell was heard.

THE CHAIRMAN said, that this was matter for complaint to the Speaker and not to the Committee.

Clause 1.

MR. CROSS said, he would propose in line 12, after the word "levied" to leave out "in any parish in England or Wales," and insert

> "Respectively in the following cases in any parish in England or Wales:—First. No Church Rate shall be made or levied in any parish in which no Church Rate has been made or levied during the seven years next previous to the passing of this Act. Second. No Church Rate shall be levied upon any person who shall deliver to the churchwardens, within one week after the rate shall have been demanded of such person, a declaration under his hand that he *bonâ fide* objects to the payment of Church Rates, provided always that no person so exempted from the payment of any Church Rate shall be entitled to vote or act in vestry in the parish in reference to the making, levying, or application of any Church Rate, or the application of any money applicable to the like purposes, unless after signing such declaration he shall have paid a Church Rate subsequently made in such parish. Third. No Church Rate shall be made for other than the following purposes (that is to say):—1, repairing and maintaining the fabric of the parish church; 2, repairing, fencing, and maintaining the churchyard or burial ground of the parish church; 3, providing what is necessary for the decent celebration of Divine Service and the offices of the parish church."

He thought that the question of church rates must be settled, but he did not think it could be fairly arranged by taking everything from one side. It ought to be settled by mutual concessions.

Mr. DILLWYN said, he must oppose the Amendment.

Mr. ADDERLEY observed, that he could not see the grievance of church rates in parishes where they were unanimously levied. Why should it be rendered illegal for parishes to levy them if they liked to do so? He believed that if the Bill passed, the burden of maintaining the churches would fall upon the worst-paid men in the country, namely, the clergy of the Established Church. The right hon. Baronet ought to be too happy to adopt the Amendment.

Committee report progress.

House resumed.

THE DIVISION BELL.

OBSERVATIONS.

Mr. NEWDEGATE rose to inform the Speaker that on the last division, the bell by which hon. Members should be summoned to a division was not sounded so as to be heard by a large number of hon. Members, who were consequently prevented from voting.

Mr. CLAY said, that in the Committee-room, where he was at the time, no bell rung at all. Some thirty or forty hon. Members, accidentally heard from a policeman that a division was going on, but they arrived in the House too late to vote. He supposed it would be found that "nobody" was to blame.

Mr. WALTER observed, that he could state from his own experience that while he was sitting in Committee-room No. 8, within the last fortnight, on several occasions divisions took place and no bell was rung.

Mr. SPEAKER said, that he would cause inquiry to be made into the circumstance, and he hoped the proper officer would take means in future to prevent the recurrence of such a fault.

Notice taken, that Forty Members were not present; House counted; and Forty Members not being present,

The House was adjourned at a quarter after Six o'clock.

HOUSE OF LORDS,

Wednesday, July 27, 1859.

Their Lordships met, and having gone through the Business on the Paper,

House adjourned at Four o'clock till to-morrow.

Mr. Cross

HOUSE OF COMMONS,

Wednesday, July 27, 1859.

Minutes.] Public Bills.—1° Attorneys and Solicitors.

2° Pneumatic Despatch Company; Income Tax, &c.; Militia Ballots Suspension; Military Savings Banks.

3° London (City) Gas; Boundaries (Ireland).

LONDON (CITY) GAS BILL.

THIRD READING.

Order for Third Reading read.

Mr. Alderman CUBITT said, that the Commissioners of Sewers for the City of London, in opposing this Bill in former stages, had been actuated solely by what they believed to be a public duty, but he was authorized by them to say, although they were not satisfied with the result, that they did not feel called upon to offer any further opposition.

Colonel FRENCH observed, that he thought the decision of the House on the previous occasion, not to send the Bill to another Committee, would increase the discontent that prevailed in respect of the contradictory decisions arrived at by Committees of that House.

Bill read 3° and *passed.*

SALMON FISHERIES BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Mr. CROSS said, that as the subject of this measure was a very wide one, he would suggest to the hon. Member who had charge of the Bill that it should be withdrawn for the present, and re-introduced in the next Session, when the subject could be considered by a Select Committee. The Bill contained some excellent provisions, but there were an immense number of Acts of Parliament to be considered, and therefore it would not be expedient to proceed further at present.

Mr. HUMBERSTON remarked that he approved the suggestion for withdrawal.

Colonel WILSON PATTEN said, he believed that opposition was to be expected, and therefore, although he thought the Bill was in many respects an excellent one, he would also recommend its withdrawal for the present. At the same time he thought the House was indebted to the hon. Member for Clithero for having turned his attention to a subject which was of greater importance than was generally supposed.

MR. HOPWOOD said, he felt bound to yield to the suggestions of his hon. Friends, and therefore would not press the Bill this Session, but hoped to re-introduce it early next Session.

House resumed.—[No report.]

IMPRISONMENT FOR SMALL DEBTS BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

MR. COLLIER said, as there appeared to be some misapprehension as to the nature and objects of this Bill, he wished briefly to state what its intentions really were. It was supposed by some that his object was to abolish altogether the power of imprisonment for small debts by County Court Judges; but all he proposed to do was simply to put an end to the power of imprisonment without a hearing. According to the opinion of some lawyers, his Bill would not alter the law at all. One of the clauses of the County Courts Act gave to Judges in those courts power to commit persons to prison in the following cases, viz.:—If a party appeared before them, and gave unsatisfactory answers; if a party did not appear, and the Judge was satisfied from the evidence that the debt was contracted fraudulently, or that the party had the means of paying it, while refusing to do so. That was the interpretation, he ventured to say, most hon. Members would give to the clause on reading it. Some of the County Court Judges, however, had interpreted that clause as giving them power to commit a person without any inquiry whatever; and it often happened that illness or other circumstances which could be satisfactorily explained, prevented the attendance of the party, who was punished with imprisonment. The real question therefore was whether a County Court Judge should commit with or without inquiry? Upon a previous occasion he had shown that no less than 8,000 persons had been so committed during the past year, and the committal, it must be borne in mind, was simply a punishment, not operating as an extinguishment of the debt. With regard to the treatment of prisoners so committed, he found it stated in a newspaper that they were stripped upon entering the gaol, their clothes searched, their diet limited, and only two hours a day allowed for exercise. He had received a communication from the governor of Carlisle gaol, pointing out the hardships involved in the operation of the enactment in question. From this paper it appeared that persons were imprisoned for very small sums, and that in one case a man had been imprisoned nine times for one debt of £9. The whole term of his imprisonment amounted to a year, although if he had stolen the money he would only have been committed for half that period. The present state of things on this subject was unjust, cruel, and intolerant, and demanded the immediate interposition of Parliament, and he believed that the Bill, instead of impairing the efficiency of the County Courts, would improve them, by removing the only cause of scandal and dissatisfaction to which they gave rise.

THE SOLICTOR GENERAL said, he entirely concurred with his hon. and learned Friend in the propriety of passing the first clause of the Bill, for he was of opinion that a minority of the County Court Judges, some thirteen or fourteen out of sixty—put a wrong construction on the 98th section of the County Court Act. It was important that doubts on the point should be removed, for all the hardships and scandal with respect to these commitments had arisen from that erroneous though conscientious construction of the law. The late Lord Chancellor directed the standing committee of the County Court Judges, which regulated the practice and framed the rules for those Courts, to ascertain what the practice of the County Court Judges had been in respect to the matter to which the attention of the House had been called. Their report had unfortunately been laid on the table only the night previous, but from that it appeared that it was only thirteen or fourteen of those Judges, as he had just stated, who put that peremptory construction of which the hon. and learned Gentleman complained on the 98th section of the Act. He therefore thought that the public was indebted to the hon. and learned Member for Plymouth for introducing the present measure to set the matter at rest. In the report he had just mentioned it was stated that the County Court Judges approved the present Bill in reference to the 98th section of the Act; but they were of a different opinion in regard to the second clause, limiting the amount of imprisonment. All the abuses had arisen from the erroneous construction of the 98th section, but the County Court Judges considered the second clause of the present Bill most impolitic, and thought that instead of operating as a relief to the lower classes it would produce the opposite effect. Considering the precariousness of employment and the liability of the labouring classes to attacks of illness, they conceived that it would be hard on them if any step should be taken having the effect of depriving creditors of their rights and thus preventing them occasionally obtaining credit.

Mr. HENLEY said, that there was no wish to prevent credit being given to the poorer classes, or to deprive creditors of the means of obtaining their money ; but the House had to consider whether the poorer class of persons who came within the purview of the County Court system had not a harder measure of justice dealt out to them than persons obtaining credit in a different situation. He strongly objected to the imprisonment which the Bill proposed to abolish. The commitment was, in fact, not for debt, but *in pœnam ;* and it was altogether objectionable that a Judge should commit a debtor, without investigation, and merely at the instigation of a vindictive creditor. When there was fraud in respect to a debt there ought to be some determinate punishment, and he could not understand why there should be a power of committing and re-committing time after time the same person for the same debt. It should be borne in mind, too, that in many prisons the persons so committed were treated nearly as possible like criminal prisoners. He should, therefore, be glad to see, as proposed by the second clause of the Bill, some limit put on the amount of imprisonment.

Mr. G. CLIVE remarked, that if the House wished to allow a system of credit for the benefit of the lower classes and of trade, then a power of summary punishment must be given against the debtor in certain cases. The right hon. Gentleman (Mr. Henley) had said that, if there were fraud in respect to a debt, let that fraud be once for all punished. But it should be borne in mind that these imprisonments under the County Courts were for nonpayment of debt, accompanied by continual ability to pay it. Consequently, the Judge went on ordering the imprisonment of the debtor so long as the latter had money in his pocket, in order to obtain that money for the creditor, a working man in many cases who had charitably made a loan to his fellow workman, who ungratefully avoided repayment. As to the injury so much spoken of, generally the only person who could give any information was either the plaintiff or the defendant. If the defendant did not appear, the only course left open to the Judge was to question the plaintiff. He regarded the first clause of the present Bill as declaratory of the existing law, and deemed it unobjectionable.

Mr. PAGET observed, that the effect of the measure would be to destroy credit; in his opinion a very cruel proceeding to the labouring classes themselves. He would therefore move that the Chairman report progress, in order to allow time for the Report of the Committee of the County Court Judges to be printed, and to give an opportunity to hon. Members connected with manufacturing districts to communicate with their constituents on the subject.

Mr. EDWIN JAMES said, it was altogether a fallacy to say that a power of inflicting perpetual imprisonment was necessary to sustain credit. He would therefore express his hope that some limit would be placed upon the terms of imprisonment imposed by County Courts. The present system of imprisoning debtors for successive terms was most oppressive, and he thought this Bill would be beneficial, inasmuch as its most important feature was to propose that there should be something like a limit to the period of imprisonment.

Major STUART said, he hoped that as the Bill would restrict the power of imprisonment it would receive the assent of the Committee and the sanction of the House. He found that a large proportion of the debts for which persons were subject to imprisonment by County Court Judges were contracted with travelling hawkers, frequently by wives without the knowledge of their husbands, who, however, suffered for their imprudence. In his own district (Bedfordshire) he found that the number of debtors committed by the County Court Judges was, in 1855, 40 ; in 1856, 60 ; in 1857, 93 ; and in 1858, 122—a large proportion of these persons having been consigned to prison at the suit of travelling hawkers. The increase in the number of commitments was, he believed, attributable in a great measure to a recent change in the law, by which the cost of conveying debtors to prison under County Court commitments was transferred from the plaintiffs to the Treasury. Some of the persons committed were young women under the age of 21, and in one case a girl of 19 was sent to prison because she had not paid for a shawl sold to her by a travelling hawker some five years before, when she was only 14 or 15 years of age. He believed that these harsh proceedings were not generally attributable to the hawkers themselves, but to agents to whom, when they quitted a district, they sold the debts due to them. Persons were constantly imprisoned, under successive commitments, for a long period, and at the last Spring Assizes the Lord Chief Baron, in referring to this subject, mentioned the case of a man who had been imprisoned eight times, and for a period of 270 days for the same debt. The individuals imprisoned under these commitments were, in his opinion, treated with unnecessary rigour. In the gaol of the county with which he was connected the accommodation for this class of prisoners was very insufficient; the area for exercise was extremely limited; they were only allowed to receive visits under certain restrictions; they were not allowed to maintain themselves if they were able to do so, nor were their friends allowed to furnish them with any supplies; and, although they were treated with all the indulgence consistent with the prison regulations, their dietary was by no means satisfactory. He hoped, therefore, that measures would be taken to put a stop to the system of renewed commitments. If, then, the Committee would only pass the first section of the Bill, one step, at all events, would be gained. There would no longer be a term of imprisonment which was in excess of the intent and meaning of the law; but if it were considered that eighty days' imprisonment was too low a *minimum*, he hoped that in any case some limit or other would be agreed upon. Let it be remembered that when a labourer was taken from his wife and children and imprisoned, the only resort of the family was the workhouse. Many cases of that sort had occurred in his county, and in the course of the present year a memorial had been presented to the Home Secretary from the Board of Guardians of the Bedford Union, complaining of the hardships to families and the injustice to ratepayers which had resulted therefrom.

MR. AYRTON said, he trusted the Motion for reporting progress would not be persisted in, for he felt that if there were but one hour left remaining of the Session it could not be more profitably spent than in the endeavour to pass this Bill. He wished to call the attention of the hon. and learned Solicitor General to one point with respect to which the existing law operated very oppressively. He had been told that it was competent to a creditor to go to any Court within the jurisdiction of a Judge and obtain a summons there. The result was that the creditor went to the Court which was most convenient to himself and summoned the debtor to that Court, and it had been stated to him that men had been suddenly summoned to answer for a debt of 3*s.* 6*d.* at a distance of twenty-five miles, and if they did not travel that distance forthwith the omission to do so was followed by committal to gaol. There was a clause in the Act, however, which empowered the Judge to reconsider his own order of committal, and to make such further orders as he might deem necessary; and it would seem to have been contemplated that, when he made out a commitment in consequence of a person not appearing to give an account of his property, the debtor could then be called up before the Judge, and the matter further investigated, when he might reverse the commitment, or deal with the case as he might think proper. But that clause did not seem to have been carried into effect for the purpose of mitigating the severity of the law. The present state of things was such as to affect the working classes most seriously. There must be some limit fixed to the power of commitment; and now that this measure was before the Committee, he hoped it would be thoroughly discussed and considered.

MR. HODGKINSON said, there seemed to be a disposition to treat this Bill as if it related only to debts of very small amount, but it must be remembered that the County Courts exercised jurisdiction in cases of debts up to the amount of £50, and he thought if this Bill were passed it would operate prejudicially to the interests of creditors whose debts were of any considerable amount. If the Bill passed in its present form no debtor would ever appear on a judgment summons, but creditors would have to search the country round for evidence as to the debtor's means of payment, and in many cases it would be the creditor's interest to lose his debt rather than incur such labour and expense. He thought that after a creditor had proved his debt the *onus probandi* with regard to future proceedings ought to rest upon the debtor, and not upon the creditor. He hoped, therefore, that the hon. Member for Nottingham would persist in his Amendment.

MR. PAULL said, he had had some experience of the working of the power of imprisonment now exercised by the County

Court Judges, and he believed that the efficiency of those Courts would be very much impaired if that power were interfered with. In cases, for example, where there were no goods upon which to recover, it was only by the existence of the power of imprisonment that the payment of instalments could be enforced.

Sir GEORGE LEWIS said, he would suggest to the hon. Member (Mr. Paget) that it was most desirable that he should not press his Amendment, and that the better course would be to allow the Committee to proceed with the discussion of the clauses. One point to which he would direct attention was, that the County Court Judge had a double capacity. He was a Judge of the County Court for small debts, and also a Judge in insolvency. As a Judge in insolvency he possessed the power of bringing up the insolvent before him for examination, and of putting any questions to him with regard to his debts; but it so happened that he had not that power in his capacity of County Court Judge. The consequence was that he could not bring up a debtor to be examined, or put questions to him on the subject of his debts; and it was in that inability that the necessity for the power of imprisonment resided. If the County Court Judge could have the debtor before him there would be no necessity for falling back upon that which was an imperfect resource, the examination of the plaintiff. A Judge had no originative power; he could only examine the witnesses that were brought before him by the plaintiff or the defendant, or examine the parties themselves if they appeared. If he had not the power of compelling the attendance of the defendant all he could do was to examine the witnesses produced, and if he were deprived of the power of imprisonment, or if that power were materially curtailed, he would be deprived of the power of operating upon the defendant altogether, and in a corresponding degree the disposition to give credit would be diminished. If a person could not recover the debt, of course he would not give credit; and in the exact proportion in which the remedy of the creditor was diminished, was necessarily diminished the inducement to give credit. Now in his opinion there had been a disposition to form too harsh an estimate of the conduct of the County Court Judges as a body in respect to the exercise of this power of imprisonment. The system of small debts courts, it should be recollected, had not been created by the County Courts Act. For a long period before the passing of that Act a number of Small Debts Courts and Courts of Requests had been scattered over the country, which had a power of imprisonment exactly similar to that with which the Committee was then dealing; and several of the Judges of those Courts had been appointed County Court Judges. The practice of those Courts of Requests had, as a rule, been somewhat arbitrary. For example, they had been in the habit of admitting an agent to appear instead of the creditor or plaintiff, and of imprisoning debtors upon very loose evidence; and these Judges, acting as County Court Judges, would naturally continue the ancient practice. He hoped, therefore, that the Committee would not form an erroneous opinion of the County Court Act, by supposing that it had introduced a more lax system; the truth being that it had introduced a stricter one, and secured the appointment of a more learned class of Judges than had presided in the Courts of Requests of old.

Mr. COLLIER said, that after the discussion which had taken place he would so suggest that the hon. Member (Mr. Paget) should withdraw his Motion for reporting progress, and that after the first clause, which was generally approved of by the County Court Judges themselves, had been agreed to, the hon. Member should move the omission of the second and only other clause.

Mr. PAGET consented to the suggestion. Clause 1 *agreed to.*

Clause 2, (limiting imprisonment to a period of 80 days) *agreed to.*

Preamble *agreed to.*

Mr. HENLEY said, he wished to express his opinion that power ought to be given to the County Court Judge to call the defendant before him and examine him in ordinary cases, the same as in cases of insolvency.

House resumed.

Bill *reported,* without Amendment.

HIGH SHERIFFS' EXPENSES BILL.

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. WISE said, he objected to proceeding with the measure at that late period of the Session. The change which it proposed was exceedingly trivial, and the saving it would effect was hardly worth the paper on which the Bill was printed. The expenses it sought to diminish were not one-sixth of the entire amount to which high-sheriffs were subject, its provisions dealing with the javelin-men alone. The whole question might fairly be reviewed during the next Session by a Select Committee; but the Bill before the House did not meet the difficulty. Its very preamble was erroneous, for it recited that an Act had been passed in 1833 for lessening the expenses of the office of high sheriff, whereas the Bill having that object had been thrown out by a great majority, There were three points on which he objected to the measure—first, that it transferred the charge of maintaining order in court during the assizes and sessions from the High Sheriff to the ratepayers. The second was that it centralized the power of the county in the hands of the chief constable, and the third was that it tended to promote what he would call a species of "unpatriotic egotism." Since the first institution of the office in the time of Edward I. the Sheriffs had been required to be men of sufficient means, and an Act of the 13th and 14th Charles II. provided that they should in England have each twenty retainers, and in Wales twelve. These were the javelin-men who were paid by the Sheriff. Some other charges to which the sheriff was put in receiving the Judges with proper state were met by a Parliamentary Vote to the extent of £10,500, which was paid out of the Consolidated Fund under the title of "Cravings," and now the promoters of the present measure wished to throw another 10,000 on the country rates for the same purpose. The squires of England did not repudiate the duties incident to their position; and though they generally did not covet the office of Sheriff, yet when they were chosen to fill it they were willing to receive her Majesty's Judges when they visited the assize towns in a manner becoming their high station and dignity. The Bill proposed to abolish the javelinmen, or retainers of the Sheriff, who usually consisted of his cottagers or small tenants, by whom a suit of clothing or a small amount of money was regarded as an adequate remuneration for their attendance when required. Half-a-dozen policemen would not form a proper retinue with which the High-Sheriff should meet and escort the Judges of the land on their arrival; but such would be the arrangement under that Bill. However useful the police might be in their own vocation, it was well known that they were not a popular body, and it would therefore be a pity to associate the ancient and honourable office of Sheriff with that force. An objection more to the purpose, however, was that if they were called upon to perform this extra duty, the strength of the police would either have to be increased, or we must expect to see an increase of crime. What might suit a few rural districts would not answer for the Midland and other populous counties. In Staffordshire, the javelinmen were employed fifty-two days in the year at the assizes and sessions; and it was obvious that if the police had this amount of additional duty thrown upon them they could not properly watch those parts of the country where strikes and disturbances of the peace from time to time occurred. The measure would, moreover, centralize everything in the hands of the chief constable, and by and by we might expect to have stipendiary magistrates appointed in every county. The utmost that the Bill would save would be from £30 to £50 a year in some cases; or in the larger counties it might be £150. The measure evinced a spirit inimical to the discharge of the public duties hitherto connected with the possession of property and position, and he would for these reasons move as an Amendment that the Speaker leave the Chair that day three months.

Amendment proposed,—

"To leave out from the word 'That,' to the end of the Question, in order to add the words 'this House will, upon this day three months, resolve itself into the said Committee, instead thereof."

SIR JOHN SHELLEY observed, that the only reasonable argument against their going into Committee on the Bill was the lateness of the Session, but even that did not apply, as the Bill was a remarkably short one. It only affected one portion of the Sheriff's retinue, the javelin-men, always a very useless, and often not a very sober body of men, and whose assistance in keeping order could advantageously be spared. It was absurd to say that the respect shown to the Judges was to be measured by the number of men in red coats, accompanied by trumpeters discoursing very ineloquent music, who escorted them into an assize town. All that idle paraphernalia was as much out of date as the Lord Mayor's Show, and the sooner it was swept away the better. The Bill, therefore, was not only defensible on the ground of the saving of expense it would effect, but because it would introduce a more efficient system. The county police were the proper body to keep order in court; and he would meet the objection that they would be taken away from their local duties, by reminding his hon. Friend that at every assizes a number of policemen were summoned as witnesses, and the chief constable could easily arrange that they should, when not giving evidence, maintain order in court. Much had been said of the honour due to the Judges, but for his part he could not see what honour was given to the Judges by putting into a gilt coach at the station the man with whom they travelled cheek-by-jowl in the railway carriage, and who, perhaps, made his appearance on the platform in a wide-awake and a shooting-jacket. The shortness of the remaining portion of the Session was no excuse for murdering this innocent.

Mr. DEEDES said, the hon. Baronet had by his pleasantries drawn off the attention of the Committee from the real point before them. He (Mr. Deedes) did not stand up for the sobriety or the general appearance of the javelin-men, but if the Sheriff was to be attended, the question was by whom should it be, and who was to pay the Bill? In Hampshire, the Sheriff paid the magistrates a fixed sum each year for providing persons to keep order in court. [Sir John Shelley: Hear, hear!] It seemed, then, that the hon. Baronet had no objection to that arrangement, and yet it was not in the spirit of the Bill, which was to reduce the Sheriffs' expenses, and it seemed that it was to the javelin-men that he objected. He (Mr. Deedes) had no objection to see the Sheriffs' expenses reduced, but as the truth was that in almost every county a different custom prevailed in regard to the state kept up and the hospitality shown by the High Sheriff. The fact was that because some gentlemen took the duties of Sheriff *con amore*, and liked to display their hospitality and distribute their claret, other gentlemen, who disliked to follow the example, complained of the expense, and hence this Bill was introduced. He thought nothing could be more unjust than to throw upon the ratepayers the expense which the country gentlemen had no objection to bear. Under all circumstances he should oppose their proceeding further with the Bill.

Mr. HENLEY said, that under the present law the Sheriff was responsible to the Judge for the maintenance of peace and order at assizes or sessions; and the relative positions of High Sheriff and chief constable were very anomalous. The Bill provided that the chief constable should have a number of policemen to preserve order in the assize court; but in the event of a row happening, would these policemen, or would they not, be under the authority of the High Sheriff? It was to be doubted whether they would be under the Sheriff at all, and yet, though he had no control by law over that force, the Sheriff might be fined by the Judge if he did not maintain order. The prisoners of a county also were under the custody of the Sheriff and the gaoler was his servant. Surely, then, the House must go a step further than that Bill, and place the chief constable under the direction of the Sheriff. That, however, would raise a question demanding more careful consideration than could be bestowed upon it that Session. The task they had to perform was to bring the ancient jurisdiction of the Sheriff into harmony with the modern jurisdiction of the chief constable. The duties connected with the peace of the county were now nearly all thrown on the chief constable, the great Executive officer of the magistracy, and the Sheriff was almost shelved. He should support the Amendment.

Mr. PARKER said, he differed altogether from the promoters of this Bill as the result of its being passed into law would be to compel the police to neglect their ordinary duty or occasion a large increase in the force. He had received a letter from the head constable of Suffolk, objecting to the police under his employment being employed as guards for the Sheriff and Judges. It had been tried in that county, and the result was that the rural districts had been unscrupulously pillaged while the police were engaged at the assize town.

Sir GEORGE LEWIS said, he agreed with the right hon. Member (Mr. Henley) that the ancient office of Sheriff had undergone great changes in consequence of recent legislation. Originally the Sheriff was at the head of the criminal courts in the county, and unquestionably it was his constitutional duty to keep order at the assizes, and, perhaps, also at sessions. In our quiet times a forcible attempt to rescue a prisoner was not, perhaps, to be apprehended, though a celebrated instance of the kind occurred in a State trial at the end of the last century. But while it was most important that the legal liability of the Sheriff, or some public officer, to hold prisoners in custody, both in gaol and in court, should be clearly defined, the House ought not pass any Bill throwing any obscurity upon that liability. Some objections had, however, been taken to that measure, to which it was not fairly open. As he understood it, its object was not to diminish the effective force, but to do away with mere pageant and parade. When a Judge used to drive into an assize town in a coach and four, it was natural that he should be received with some display. But when he now travelled by railway there was not the same reason as formerly for a ceremonial exhibition on his arrival. The javelin-men did not materially contribute to the maintenance of order in court. There was in every large county a considerable reserve of police permanently kept in the county town, which, together with the policemen attending the assizes as witnesses, would be quite sufficient to guard the court and preserve decorum. Therefore, all the fears expressed as to an increase of the police force, and consequently of the county rate, as well as the danger of enlarging the power of the central authority, might be dismissed as purely chimerical. The chief difficulty would arise in the smaller counties, where there was not the same reserve of police. The Bill was, perhaps, crude and inartificial in its form ; but its object was a practicable one. Whether that object could be best carried out by a previous inquiry before a Select Committee or otherwise he would not venture to say; but subject to the qualification he had indicated he was generally favourable to the measure.

Mr. HUMBERSTON said, he should not oppose the passing of the Bill, though he thought it was in a very imperfect condition and did not touch the main greivances to which High Sheriffs were subjected. In his opinion the subject of the duties and expenses of High Sheriffs ought to be carefully investigated by a Select Committee, and a measure introduced by the Government in a future Session.

Lord HENNIKER said, he had lately seen an account in the newspapers that at the Hampshire assizes the Judges, of whom Baron Watson was one, were preceded into town by policemen, and if there were any objection to the employment of policemen, Baron Watson, being a Judge of great authority on the subject, would have taken it. As the Bill was so short he trusted it would be proceeded with and its merits tested in Committee. He thought the slur which had been thrown upon the body of policemen generally was not justified. Policemen were, in his opinion, the best maintainers of order in courts of justice as well as everywhere else. The Queen's drawing room was protected by policemen, and in the Miscellaneous Estimates, Votes were taken for police to keep the peace at Shorncliffe and Aldershot. He had also himself seen the greatest hero of the age, the late Duke of Wellington, surrounded by policemen.

Mr. HUNT (Northampton) said, that in the county which he represented they had now in force the very system which his hon. Friend by this Bill proposed to make general throughout the country. The javelin-men had proved so inefficient that a committee of gentlemen who had served the office of High Sheriff, had been appointed to consider some better means of preserving order. The head constable being appealed to, said he could furnish sufficient policemen to keep order without throwing additional expense on the county. The Judges themselves had since admitted that order was now much better kept than before. They had considered the difficulty suggested by the right hon. Member for Oxfordshire (Mr. Henley) and they got over it in this way. They authorized the head constable to place a certain number of men under the orders of the High Sheriff during the time of the assizes, so that for that time at least there was no conflicting jurisdiction. Seeing, then, that the system worked so well in his county, he thought there could be no reason why the Bill should not be proceeded with, and made the law of the land.

Mr. JOHN LOCKE said, he thought the remarks of the hon. Gentleman showed that this Bill was not necessary, as the gentry of the county had the power to effect all that was necessary without having recourse to legislation at all.

Mr. EDWIN JAMES said, his hon. Friend could not have read the Bill. It was well known that the Judges had the power to impose a heavy fine on Sheriffs for the non-attendance of javelin-men—a power which more than once they had exercised ; and it was proposed by this Bill to take away the power. This was not a question of keeping order, but of state and pageantry ; and there was no pageantry in having twenty-four decrepit old men moving before the Judge, and preceded by an asthmatic trumpeter. The time had arrived when javelin-men ought to be done away with. The Judges did not want them; they were continually in the way, and were not of the slightest use in maintaining order. The right hon. Member for Oxfordshire asked, in his own emphatic language, if there was a row where would be the javelin-men? He would answer, everywhere but where the row was. He hoped this Bill would be allowed to go into Committee.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 112; Noes 115: Majority 3.

Words *added*. Main Question, as amended, put and *agreed to*.

Bill *put off* for three months.

MUNICIPAL CORPORATIONS BILL.

Order for Committee read.

House in Committee.

Clause 1 *agreed to*.

Clause 2.

MR. SOTHERON ESTCOURT said, he felt obliged to oppose it. It proposed to repeal an Act of Parliament which prevented a mayor of any borough from having the insignia of his office carried before him to any other place of worship than the Established Church.

Motion made, and Question put "That Clause 2 stand part of the Bill."

The Committee *divided*:—Ayes 127; Noes 85: Majority 42.

Clause *ordered* to stand part of the Bill.

Preamble *agreed to*. House resumed.

Bill *reported* without Amendment.

LONDON CORPORATION BILL.

POSTPONEMENT OF SECOND READING.

MR. G. CLIVE said, he would move that the second reading of this Bill be postponed until Monday next.

SIR JOHN SHELLEY said, for the convenience of all parties interested, he must call upon the Government to state whether it was their intention to proceed with this measure or not. Considering the late period of the Session it would be quite impossible to pass the Bill.

MR. EDWIN JAMES said, he was of the same opinion. The excitement in the City was very great against the Bill, and the Government ought at once to give an answer whether they would go on with it or not.

SIR JAMES DUKE observed that nothing could be more lamentable than to see a feeble Government abandoning a good measure in order to please a section of its supporters. If the present Bill had been in the hands of hon. Gentlemen opposite, it would have been passed long ago. He hoped, notwithstanding the late period of the Session at which we had arrived, that the Bill would be proceeded with, though he was determined to oppose the clause which disfranchised the liverymen in regard to the election of Lord Mayor.

MR. W. WILLIAMS said, the reason why the hon. Baronet felt satisfied with the measure was clear—it was not one of reform at all. The Government ought not to proceed with it at this late period.

MR. G. CLIVE said, his right hon. Friend at the head of the Home Office had been obliged to leave the House, in order to attend a Cabinet Council, but he would doubtless return before the hour of adjournment, and state whether he intended to go on with the Bill or not.

SUPPLY.

Order for Committee (Supply) read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

GREENWICH HOSPITAL.

COMMISSION MOVED FOR.

SIR CHARLES NAPIER said, he would not repeat the statement which he had made to the House the other night on the subject of Greenwich Hospital. He had brought forward this question for the last three or four years, and successive Boards of Admiralty had promised amendment, but he had always been deceived. The fact was that at present the officers in the hospital were treated in one way and the men in another, and he did not think the House should delay to do what was an act of simple justice. It had been proved that the Navy was an unpopular service, and no means ought to be left untried to remove such an impression. That being so, he should persist in the Motion of which he had given notice.

Amendment proposed,—

"To leave out from the word 'That,' to the end of the Question, in order to add the words 'an humble Address be presented to Her Majesty, praying that She will be graciously pleased to appoint a Commission to inquire into the Management of Greenwich Hospital, instead thereof.'"

Mr. WHITBREAD said, his noble Friend (Lord C. Paget) had been called away on professional duty, and in his absence he should be obliged to oppose the Motion, as he hardly thought the House was prepared to enter upon a course which must entail a serious expenditure. The gallant Admiral had stated on a previous occasion that the salaries of the officers of Greenwich Hospital amounted to £25,000, while the sum spent on the maintenance of the pensioners was only £33,000 a year. He had, however, omitted a great many items which ought to be included in the cost of maintaining the men, such as £5,000 for the wages of the servants, who were most of them pensioners, £6,000 for clothing, £4,000 for household stores, together with the cost of maintaining the sick in the infirmary, and two or three other items, which really raised the pensioners' account to something like £60,000 a year. He complained, too, that some of the Commissioners were non-resident, the fact being that only one of them was, and that because there was no residence for him. There might be some points in the management of the hospital which admitted of improvement, but the present Admiralty had been so short a time in office it was impossible for them to have examined the subject. During the recess, however, they would look into the funds and the expenditure, and would endeavour to carry out any improvements, which appeared desirable. Meanwhile, he put it to the House whether it was worth while to incur the expense of a Commission.

Sir JAMES ELPHINSTONE said, he did not think that in such a case the expense of a Commission ought to stand in the way of inquiry. The question had come before the Commissioners for Manning the Navy, who came to the conclusion that the question was so large a one, and the abuses were so many, that it was impossible for them to deal with them without travelling out of the proper limits of their authority. The Commissioners certainly expected that an inquiry would be made, and he thought that four or five naval officers could be assembled at small expense to give their opinion on the points at issue. The circumstance that the Government had recently come into office was no reason why a Commission should not issue.

Sir GEORGE PECHELL said, he had no doubt that many improvements might be introduced into the management of the hospital, but he did not believe any jobbing or peculation existed there, and from his knowledge of the officers he could say that a more zealous and honourable set of men never existed. Abuses did not prevail at Greenwich so much as at Whitehall.

Mr. LYGON said, he hoped that the gallant Admiral would not persevere in his Motion, seeing that the present Board of Admiralty could have had no opportunity of examining into the subject. The career of the late Board, too, had been cut short before they were enabled to inquire. Much dissatisfaction certainly prevailed respecting the management of Greenwich Hospital, and next year, failing any action on the part of the Government, he should be very happy to support the Motion for a Commission.

Mr. BRISCOE said, the Motion was not brought on in opposition to the Government. The hon. Gentleman opposite (Mr. Lygon) admitted that great improvements were necessary, and the best way to bring them about would be to have an inquiry by a Commission. He felt disposed to hope that the hon. and gallant Member's Motion would have been passed unanimously. Upon what ground was it opposed? Why, solely on the ground of expense. But he thought that the expense must depend upon management, and he could not admit the validity of the excuse. The hon. and gallant Admiral was in earnest in his Motion, and his exertions on behalf of the navy were fully appreciated by the public. Year after year he had pointed out the abuses without obtaining a remedy; and it was high time for the House to interfere. He hoped, therefore, the hon. and gallant Admiral would divide the House on the question.

Mr. LAING said, he wished the House to understand that the question was not whether there should or should not be an inquiry, but whether that inquiry should be conducted in the first instance by the noble Duke at the head of the Admiralty and other officers of that department, or by a Commission. The question of expense certainly ought not to be overlooked, and he wished to put it to the House by which of the two ways the inquiry was likely to be more satisfactorily and economically carried out.

Mr. JOHN LOCKE said, the same promises of reforming abuses had been made, and had invariably been broken, by successive Boards of Admiralty. It was the duty of the House, therefore, to step forward and intrust the inquiry to men who would form a strictly impartial opinion on the subject.

Mr. HANKEY said, he thought the House was not then in a position to decide the question. He for one was not prepared to submit this question to four or five old Admirals. He thought the inquiry ought not to be made without more definite materials than the House had before them at present.

Mr. SPOONER said, the hon. Member who had just spoken could hardly have been in the House when the hon. and gallant Admiral made his statement the other night. On that occasion so many abuses and grievances were brought forward as to convince him (Mr. Spooner) that an inquiry ought no longer to be delayed. Promises to that effect had been frequently made, but, as it appeared, those promises were never kept. He should therefore support the Motion.

Sir FRANCIS BARING said, the necessity of an inquiry was undisputed, and the only question was how it should be conducted. In his opinion it would be better to leave the question in the hands of the Admiralty, for if his noble Friend the Duke of Somerset undertook an inquiry, no man would carry it out more efficiently. He had some considerable suspicions as to inquiries by Commissions, and he was satisfied that if the House wanted the thing done well it was better to commit such inquiries to the Government. Let the Government be held responsible for the correction of these abuses, instead of transferring that responsibility to a Commission.

Mr. ROEBUCK said, that there seemed to be some confusion as to the functions of a Commission. You did not take away the responsibility of a Government by setting a Commission to inquire. "Depend upon the Government," said the right hon. Baronet. He would do no such thing. Tell him what the evil was, and then he could hold the Government responsible for curing it, but he would not depend on the Government for telling him, and a Commission, therefore, was absolutely necessary. He recollected an inquiry into the Municipal Corporations and an inquiry into the Poor Law. Did anybody suppose that the Government could have carried out those inquiries without assistance? The fact was that Greenwich Hospital was known as a very nest of corruption, and he would not trust any but persons independent of the Ministry with the duty of inquiring into it.

Mr. ANGERSTEIN said, he would request the hon. and gallant Admiral to wait and see what the Government would do. If he found that their pledges were not fulfilled, it would be time to move for a Commission. At present he (Mr. Angerstein) was willing to support the Government.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 142; Noes 82: Majority 60.

Main Question put, and *agreed to.*

House in Committee.

SUPPLY.—CIVIL SERVICE ESTIMATES.

Mr. Massey in the Chair.

(In the Committee.)

Motion made, and Question proposed,—

"That a sum, not exceeding £15,985, be granted to Her Majesty, to defray the Expenses of the National Gallery, including the purchase of Pictures, to the 31st day of March, 1860."

Mr. CONINGHAM said, he wished to remind the Committee that a valuable site had been recently granted to the Royal Academy, thereby riveting its despotic authority over the artists of this country, while, with the superior advantages thus conferred upon it, it would probably ruin all the other competing societies of London. This, too, was done without the necessity of applying to the House of Commons for a Vote. The expenditure on the National Gallery was steadily increasing, and it had been administered in a most unsatisfactory manner. Originally, as the Committee knew, the building was intended for the reception of ancient pictures; but the Royal Academy had gradually encroached upon the building till it was allowed to occupy one-half of it, and that body, whose President was *ex officio* a trustee of the National Gallery, had always directed its hostility against the ancient masters, the National Gallery being described as a *hortus siccus*, and the Academy as a garden. He would also remind the Committee that since the establishment of the Royal Academy there had been a steady and constant decline in the fine arts of this country. With respect to the National Gallery, he could only say that while Sir Charles Eastlake occupied the position of keeper in that institution at a salary of £200 a year, the purchases of pictures which he had made had been so disastrous that he had been driven from the post which he occupied by the censure which had been passed upon his administration. He had been succeeded in office by Mr. Unins, but as President of the Royal Academy he had appeared at the Board of the National Gallery as trustee, and in that capacity he should quote him against himself. Sir Charles Eastlake, in a letter which he had written to his co-trustees in 1853, said he did not intend to take any further part in the management of the National Gallery, yet he had subsequently been appointed one of its Directors at a salary of £1,000 a year. His purchase of the Holbein portrait implied, as he had before stated, not only a want of knowledge of the master but of his art, and he would refer to various newspapers and periodical publications, such as *The Times*, the *Morning Post*, the *Sun*, the *Spectator*, the *Examiner*, the *Edinburgh Review*, *Tait's* and *Blackwood's* Magazines, and others in corroboration of the views as to Sir Charles Eastlake's management which he entertained. The Motion, however, which he was about to submit to the Committee had reference to the expenses, which, although the item to defray the charge for a travelling agent had been struck out of the Estimates last year, still appeared in the Votes under that head. During the last year eight pictures had been purchased for the National Gallery, seven of which were at the present moment in that establishment. He was not, however, in a position to enter into an analysis of their merits or defects, and, indeed, to do so would be to discharge a somewhat tiresome and tedious office, but he should very much like to ascertain the opinion of Mr. Christie, or some other experienced appraiser of pictures, as to whether these eight paintings, which cost £3,000, were worth the £650 by which he should propose that the present Vote should be diminished. The sums spent upon the National Gallery had reached £89,000, £66,000 of which had been spent within the last four years, and the result was a collection of pictures, some of them spurious, and the greater number worthless. At the same time great omissions had been made and opportunities overlooked, among which the refusal of Mr. Morris More's Raphael, the "Appollo and Marsyas," was a flagrant example. He further thought that the Royal Academy ought to be ejected from the building in Trafalgar Square. He (Mr. Coningham) persisted in this question, because he had more confidence in the attempt to set aside one proved abuse than in general and vague professions of reform, and in no branch of our expenditure was it more needed. It was with that view that he begged leave to submit to the Committee the following Amendment:—"That the Vote for the National Gallery be reduced by £650, charged as travelling expenses."

MR. W. WILLIAMS said, he could not but express his regret that the hon. Gentleman had not moved the reduction of the Vote by a larger amount. It embraced, for instance, a sum of £10,000 for the purchase of pictures over and above a surplus of £8,098 which had been already voted, and which remained unexpended, and he was therefore strongly of opinion that that sum of £10,000 ought not to be asked for by the Government.

THE CHANCELLOR OF THE EXCHEQUER said, he wished to offer one word in reply to the observations of the hon. Member for Brighton (Mr. Coningham), than whom no one was more competent by the exercise of his knowledge in pictorial art to advise the Committee to deal on the subject before them. The system upon which the National Gallery was now based had been established by a Treasury minute dated 1855, and was to last for five years. That period would expire in 1860, when it would become the undoubted duty of the Government to reconsider every part of the subject in the interests of the public and of art, and, if they deemed it expedient, to alter the existing system for the better. The hon. Member for Lambeth suggested that it would be desirable not to take the Vote of £10,000 for pictures in the present year, but the hon. Gentleman should bear in mind that a very special occasion—that of the sale of Lord Northwick's pictures—presented itself just now for the expenditure of the money, and that it was not, therefore, convenient that the Vote should be reduced by the amount which he proposed. Whether it would be well that a smaller sum should in future be voted to be placed at the absolute discretion of the trustees of the National Gallery, while any larger amount should depend for its application on the decision of Parliament, was a question which he (the Chancellor of the Exchequer) deemed well worthy of consideration. He was of that opinion, because it was obvious that occasion for the expenditure of so large a sum as that of £10,000 could not arise in the course of each year, inasmuch as pictures did not come into the market in so regular a manner. So far as travelling expenses were concerned, he could not help thinking that they formed a very reasonable item in the charge for the National Gallery, because a vigilant eye was by means of such expenditure kept upon the sales of pictures in different parts of the Continent; while he was at the same time of opinion that those expenses ought to be kept within the limits of a judicious economy. Considering that the five years he had referred to were very nearly expired, and that the time was rapidly approaching when the whole subject must be taken into consideration, he hoped the hon. Member would not be disposed to press the Motion which he had made.

SIR CHARLES BURRELL said, he thought that the opportunity which offered itself for the addition of valuable pictures to the National Gallery ought not to be thrown away. He did not at all join in the condemnation which some hon. Members had thought fit to pass upon the pictures already in that collection, and as for what the newspapers said upon the subject he paid no attention to it, because they would always write in favour of or against anything if they were paid for it.

MR. DANBY SEYMOUR said, he should have supposed that the duty of offering explanations upon a subject such as that under the consideration of the Committee would have devolved on the Vice President of the Council of Education, rather than upon the Chancellor of the Exchequer, whose time was so much occupied in attending to other departments of public business. But, be that as it might, he wished to receive from the Chancellor of the Exchequer some explanation as to the arrangements which were being made for the removal of the Royal Academy from Trafalgar Square. It was rumoured that the Government were about to confer a donation of £70,000 or £80,000 on that society in the shape of a site at Burlington House, and it was not, in his opinion, right that such a project should be carried out without some explanation with respect to it being afforded to the public. He perceived that temporary buildings were being erected at South Kensington for the purpose of affording accommodation for pictures during the period occupied in the removal of the Royal Academy from its present site; but inasmuch as those buildings were being constructed to last seventy or eighty years, while the process of removing to which he referred would not necessitate the supply of accommodation for the pictures in question for more than a year and a half or two years, he was of opinion that the public money was being thrown away in the prosecution of comparatively useless works. The point was therefore one on which he desired to receive some information from the Government, while he was also anxious to learn whether Her Majesty's present advisers had been implicated in any plan of the late Administration with reference to the alteration of the National Gallery, and whether they intended that any alteration which might be made in the present building in Trafalgar Square should be made the subject of public competition?

LORD JOHN MANNERS said, it was perhaps more desirable that the representatives of the late rather than those of the present Government should reply to the observations which had been made by the hon. Gentleman with regard to the removal of the Royal Academy. He might, therefore, be allowed to state that the hon. Member must have forgotten the extremely lucid statement which the then Chancellor of the Exchequer had made some months ago. That statement was a full narrative of the relations in which the Government stood to the Royal Academy, and a summary of all the transactions which had taken place in the matter; and it was so clear, explicit, and straightforward that it met with the general approbation both of the House and the country.

MR. SPOONER said, he felt disposed to take the sense of the Committee as to the expediency of reducing the Vote under discussion by the £10,000 to which reference had been made by the hon. Member for Lambeth, and he should therefore like to know whether it was competent for him to propose that reduction after the Amendment of the hon. Member for Brighton had been disposed of?

THE CHAIRMAN said, that it would be competent for the hon. Member to do so.

MR. SPOONER considered that the enjoyment felt at the contemplation of pictures of the highest character could be only felt by men of the most refined tastes, and who had opportunities of comparison which the million did not possess, and it seemed very doubtful whether such collections advanced art generally. It was, moreover, extremely undesirable, after the statement which had been made by the right hon. Gentleman the Chancellor of the Exchequer a few days ago, that the national resources should be expended on any other than really necessary objects;

and being of opinion that the cost of pictures was considerably increased in the market abroad by the presence of travelling agents, and that we gave a price for them which no other nation did, he should support the Amendment of the hon. Member for Brighton.

Mr. TITE said, he could not conceive how any objection could be raised to so moderate an expenditure as that indicated by this Vote. Pictures were not exhibited solely for the amusement of the rich, but were of great value in improving the taste of the lower classes; and, speaking from an intimate acquaintance with those of foreign countries, in his opinion the National Gallery would bear comparison with some of the finest galleries in Europe. As to the expenditure for pictures, he would remind the House that the French Government had paid £20,000 for one picture. With regard to voting the £10,000 this year, we ought not to lose the opportunity of the sale of Lord Northwick's collection to add to the national collection. He thought it a pity to touch the £650 for travelling expenses at the present moment when the whole question was about to be considered. He thought that there should not be a regular travelling agent, but he was sure that there ought to be a person quietly to watch the foreign picture market, and the sum now proposed was moderate.

Mr. BENTINCK said, he intended to vote for the Motion of the hon. Member for Brighton. Considering the financial difficulties in which the country was placed, it appeared to him reckless extravagance to vote such large sums for purposes not of pressing importance. The first consideration ought to be to have the defences of the country placed in a satisfactory position.

The CHANCELLOR of the EXCHEQUER said, that in reply to the observations of the hon. Member for Poole (Mr. Danby Seymour) he had to state that, so far as the buildings at South Kensington were concerned, Her Majesty's Government in making use of them had no intention whatever of interfering in any way with the resolution at which the House of Commons had arrived with reference to the National Gallery. Those buildings were erected merely for the purpose of temporary accommodation, while, with regard to the disposal of the site of Burlington House, and the devoting of the entire of the building in Trafalgar-square to the objects of the National Gallery, his answer must be that he had had as yet no time to investigate the arrangements in those respects which had been made by the late Government. His attention should, however, be directed to the subject, and he could assure the Committee that he should not seek in dealing with it to place himself under the shelter of that which had been done by his predecessors in office.

Lord JOHN MANNERS said, that with respect to the Gallery in Trafalgar Square the late Government had come to no decision whatever in regard to the future appropriation of the site to be vacated by the Royal Academy.

Mr. STIRLING said, he could not understand what connection there was between the item for travelling expenses and the subject to which hon. Members had just been referring. With respect to these expenses, he could only say that he believed the agreement which had been entered into with Sir C. Eastlake when he had accepted his present office was to the effect that when he was engaged in travelling for the purposes of the National Gallery his expenses should be allowed, and that the result of the success of the Motion of the hon. Member for Brighton would be to throw on the salary of Sir C. Eastlake an expenditure which it was never intended it should bear. As to the speech by which that Motion was supported it was sufficient to remark that the hon. Member having made strong assertions seemed to imagine that he had proved his case. He condemned as unfortunate the purchases which had been made for the National Gallery, but something more than mere assertion was required to demonstrate the justice of that condemnation. The hon. Member had, indeed, published a pamphlet on the subject, but, so far as he (Mr. Stirling) could see, that pamphlet, as well as the speeches of the hon. Gentleman, was made up almost entirely of assertions. It was the opinion of the hon. Gentleman, for instance, that the pictures of the Spanish school, which had been purchased for the National Gallery, were altogether unworthy of that institution; but upon that point he begged leave to differ from the hon. Gentleman, and to express his belief that the few selections of those pictures made for the National Gallery were highly creditable to the taste of those by whom they were bought. As to the Holbein portrait, which seemed to constitute the greater portion of the hon. Gentleman's stock-in-trade, it appeared to him that the chief mistake which Sir C. Eastlake had committed with respect to it was the having the candour to confess that he had been wrong in purchasing it as a genuine picture. If Sir C. Eastlake had acted with less fairness the hon. Gentleman would not have been in a position to condemn him, as he said, out of his own mouth. He might add that Sir C. Eastlake, when he had been appointed Keeper of the National Gallery, had expressed it to be his wish not to be made responsible for the purchase of any but Italian pictures, inasmuch as the Italian school of painting was the only one which he professed thoroughly to understand. He thought it right, in justice to Sir C. Eastlake, to make those observations, and he might remark that if the management of the Gallery was objectionable the hon. Member would have a future opportunity of moving for a Committee on the whole subject. Whether objectionable or not, the system was the result of Parliamentary inquiries, and had a pile of blue-books for its foundation. He should conclude by expressing a hope that the Committee would not object to the Vote under discussion.

MR. CONINGHAM said, that Sir C. Eastlake undertook the directorship of the National Gallery on the distinct understanding that he was to be responsible for all the pictures purchased. All the best opinions were with him on the subject of the management of the Gallery.

Motion made, and Question put, "That the item of £650 for 'travelling expenses' be omitted from the proposed Vote."

The Committee *divided* :—Ayes 40; Noes 171 : Majority 131.

MR. SPOONER said, he would then move that the Vote be reduced by the sum of £10,000. The proposal to vote that sum for the purchase of pictures was an unconstitutional application of the public money. He had always opposed it, and he opposed it more especially now, when they had been called upon by the Chancellor of the Exchequer to assist in reducing the Civil Estimates. It might be said that it was a trifle, but all large sums were made up of smaller ones, which in comparison might be called trifles. When for purposes of defence they were obliged to impose an extra income tax on men earning their £2 a week, they ought not to spend £10,000 in the purchase of pictures. As to promoting art, it ought not to be done by taxing the public. He did not see why they should undertake to teach people to draw any more than to teach people to become agriculturists out of money raised from the labouring classes. Within the last twelve years they had spent nearly £2,000,000 upon Votes connected with the arts and science departments. He could not approve of such extravagant outlay for promoting education in these matters, especially when persons with very narrow incomes were threatened with increased income tax.

MR. CLAY said, he should vote for the reduction, not because he objected to expenditure for promoting art, but because he was dissatisfied with the system and the taste which had been shown in the purchases.

MR. W. WILLIAMS said, he attached no weight to the argument that the Treasury Minute of 1855, authorizing these grants of public money for five years, would expire next year, as the House was not bound by any Treasury Minute. He should therefore support the Motion of the hon. Member for North Warwickshire. He thought it would be better to place the whole responsibility for the purchase of pictures on the Government.

THE CHANCELLOR OF THE EXCHEQUER said, that as the Treasury Minute, although no authority of itself, had been communicated to the House, and Votes had been granted in conformity with it, a constructive obligation arose towards individuals affected by it. The only two grounds assigned for the reduction were, first, that such Votes were unconstitutional; and, secondly, that the management was bad. He frankly confessed that upon neither of those grounds could he support the Motion.

MR. CONINGHAM said, he should support the Amendment on the same grounds as his hon. Friend the Member for Hull (Mr. Clay).

Motion made, and Question put, "That the item of £10,000 'for the purchase of Pictures" be omitted from the proposed Vote."

The Committee *divided* : — Ayes 64; Noes 136 : Majority 72.

Original Question put, and *agreed to.*

The following Votes were then *agreed to:*

(2). £6,439, Magnetic Observations Abroad.

(3). £500, Royal Geographical Society.

(4.) £1,000, Public Objects.

House resumed.

Resolutions to be reported *To-morrow.*

INCOME TAX, &c. BILL.

SECOND READING.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER said, it would be for the convenience of the public if this Bill were now read a second time, and the discussion taken on the Committee to morrow.

Sir HENRY WILLOUGHBY observed, that he should not object to the second reading being taken now, if it was for the public service.

Bill read 2°.

In reply to Mr. Spooner,

The CHANCELLOR of the EXCHEQUER said, the Committee on the Bill would be taken the next evening, immediately after the statement of his noble Friend the Secretary of State on Foreign Affairs.

Bill *committed* for *To-morrow*.

NEW WRITS.

Mr. COLLINS moved, that in all cases where the seat of any Member had been declared void by an Election Committee on the ground of bribery, no Motion for the issuing of a new writ should be made without two days' previous notice being given in the Votes.

Motion *agreed to*.

Ordered,—

"That, in all cases where the Seat of any Member has been declared void by an Election Committee on the ground of Bribery, no Motion for the issuing of a New Writ shall be made without two days' previous notice being given in the Votes."

WAKEFIELD ELECTION.—REPORT.

Mr. MONSELL, the Chairman of the Committee appointed to try the Petition against the return of Mr. W. H. Leatham, for the Borough of Wakefield, appeared at the Bar with the Report:—

House informed, that the Committee had determined,

"That William Henry Leatham is not duly elected a Burgess to serve in this present Parliament for the Borough of Wakefield.

"That the last Election for the said Borough is a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House."

DARTMOUTH ELECTION.—REPORT.

Mr. LEFROY, the Chairman of the Committee appointed to try the Petition against the return of Mr. E. Schenley, for the Borough of Dartmouth, appeared at the Bar with the Report:—

House informed, that the Committee had determined,

"That Edward Wyndham Harrington Schenley, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Dartmouth.

"That the last Election for the said Borough is a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House."

And it being Six of the clock, Mr. Speaker adjourned the House till To-morrow, without putting the Question.

HOUSE OF LORDS,

Thursday, July 28, 1859.

Minutes.] Public Bills.—1ª Fishing Vessels passing the Nore; Boundaries (Ireland).

2ª Diplomatic Pensions; Consolidated Fund (£7,000,000); Cambridge University Commission (Continuance); Criminal Justice Middlesex (Assistant Judge).

3ª Chief Superintendent (China).

DIVORCE COURT BILL.—COMMITTEE.

The LORD CHANCELLOR said, that in moving that the House resolve itself into a Committee on this Bill, he thought it right that he should briefly indicate the Amendments he meant to propose in the measure. The first would enable the Judge Ordinary to take precedence in the Court immediately after the Lord Chief Baron. He would not oppose any clause, though he should not move it himself, enabling persons domiciled out of the kingdom, in India or any of the Colonies, to petition the Court to dissolve marriage, instead of their having, as now, to resort to their Lordships' House for a legislative measure for that purpose. He would propose a clause giving power to the Court to sit with closed doors; but, in order to obviate an objection that had been made that the Court might arbitrarily close its doors to screen aristocratic delinquents, he would so word the clause as to confine the exclusion of the public from the Court to cases where public decency required it. Again, instead of enacting that every petition should be referred to the Attorney General, he should propose that the Court should have the power of invoking the assistance of the Attorney General whenever they thought it desirable.

Motion *agreed to*.

House in Committee.

Clause 1 (All the Judges of the Queen's Bench, Common Pleas, and Exchequer, to be Judges of the Court for Divorce) *agreed to.*

Clause 2 (Judge Ordinary and Eight of the other Judges to appoint the Sittings of the Full Court) *agreed to.*

THE LORD CHANCELLOR moved to insert after Clause 2 a clause providing that the Judge Ordinary shall have precedence in the said Court next after the Lord Chief Baron of Her Majesty's Court of Exchequer.

Clause *agreed to.*

THE EARL OF WICKLOW moved the insertion of a clause enacting that any person domiciled in any part of the United Kingdom, except Scotland, may petition the Court for a dissolution of marriage. The noble Earl said that the object of his Motion was to extend the operation of the Bill to Ireland. In a Roman Catholic country, where a great majority of the people had an insuperable religious objection to divorce it would be most inexpedient to establish a Court for that especial purpose; and it appeared to him that the best method of enabling those persons in Ireland who had no such religious scruples to obtain a divorce was by enabling them to come to the Court established here. Another objection occurred to him. They had now constituted all the Judges of the English Courts members of the English Court for Divorce: but in Ireland, many of the Judges were Roman Catholics, and they would of course have the same objection as the priests themselves to agree in pronouncing divorces.

LORD MONTEAGLE said, the opinion of almost every person, whether Protestant or Roman Catholic, he had conversed with on this subject in Ireland was against the extension of the Bill to Ireland; nor had the people of that country, as the law had heretofore stood, appealed in many instances to their Lordships' House. There were no petitions in favour of that country being included in the Bill; there were no complaints of the present state of the law, and the number of divorce cases from Ireland was so few that no necessity existed for the proposed change. If a change of this kind was proposed to be made, the people of Ireland ought to have had notice of it; but no notice had been given, and it was to be observed that Scotland was omitted from the Bill. He opposed the introduction of the clause.

LORD BROUGHAM said, the reason why Scotland was omitted was, that there was already in that country a Court for granting divorces; but in Ireland there was no Divorce Court whatever.

EARL ST. GERMANS said, the introduction of the clause would not affect the general marriage law of Ireland. The only effect of it would be to place the law on the same footing in both countries in so far as regarded the granting of divorces. It could in no manner affect the feelings and prejudices of the Irish people, for it was not compulsory; it was merely permissive to those who chose to take advantage of it.

LORD CRANWORTH reminded the noble Lord (Lord Monteagle) that at present a person in Ireland seeking a divorce was compelled to prosecute for damages in the Irish Courts, and then to come to the Legislature at great expense to get the marriage annulled; whereas the principle Parliament had adopted was to get rid of this cumbrous and discreditable machinery; and the clause now proposed would enable him to come over and obtain a divorce in the Imperial Court.

THE DUKE OF LEINSTER said, that the Bill was not intended in any way to affect the Roman Catholics; but it was undoubtedly hard on Protestants and Protestant Dissenters in Ireland that they should have to go through all the horrid forms of an action of *crim con.* to enable them to sue at the bar of their Lordships' House for the simple remedy which was administered by the Divorce Court in England. He should gladly therefore support the clause.

THE EARL OF DONOUGHMORE said, it had been urged by the noble Lord (Lord Monteagle) in opposition to this Bill that no petitions in its favour had been presented; but it was precisely one of those matters in which no man liked to be complainant in his own case, and the House would therefore have to wait for a long time if they did not legislate until they received many petitions on the subject. Although he was firmly persuaded of the general purity of marriage life in Ireland, he thought it was but fair that when persons there were unfortunately under the necessity of seeking for a dissolution of marriage they should have the power of doing so. He had been informed by one of the advocates in the existing Divorce Court that there were at this moment upon the files of that Court three petitions from

Ireland. Those were cases in which parties had been married and domiciled in that country, and it was there likewise that the alleged adultery had taken place; but as the law stood it was exceedingly doubtful whether any relief could be afforded to them in the English Divorce Court. In order, however, to bring themselves within its powers they had come over to this country, taken houses, and paid rates, in order to obtain such a domicile as would enable them to take advantage of the English Divorce Court. The question was one of considerable difficulty, and he did not pretend to give an opinion with regard to it; but it was certainly one as to which considerable uncertainty existed. Therefore, while disclaiming for himself and the other Members from Ireland of their Lordships' House any intention to interfere with the Roman Catholics, they certainly considered that equal facilities with those which were extended to English Protestants should be given to them.

VISCOUNT DUNGANNON said, it did appear a hardship that the Protestant population of Ireland should be condemned to increased expense, by being debarred from the advantage of the Court, if they wished to obtain a dissolution of marriage. He did not see how any party in Ireland could be offended by this clause; nor could he imagine any reason for refusing to Irishmen the relief which was given to Englishmen.

THE LORD CHANCELLOR stated that he had been so fully sensible of the force of the argument in favour of this proposition that in the Bill as originally framed he had introduced a clause extending the operation of the Divorce Act to Ireland; but he had been so frightened by the representations made to him by the noble Lord on the cross benches (Lord Monteagle) and others that he had been led to withdraw it. Now, however, that all the noble Lords connected with Ireland, with one exception, called with one voice for such a clause, he was merely returning to his original opinion in consenting to its reintroduction. At the same time he thought that the principle, if extended to Ireland, could not rest there, but should be extended to India, to the Colonies, and other dependencies of the Empire. He would therefore suggest the insertion in the clause of words to that effect, retaining however the exemption of Scotland from the provisions of the Bill.

Agreed to.

Clause, as amended, to stand part of the Bill.

Clause 4, (Court may sit with closed doors).

THE LORD CHANCELLOR proposed the insertion of words limiting this power to cases in which the Judges should think that its exercise was necessary "for the sake of public decency."

Amendment *agreed to.*

On the Question that the Clause stand part of the Bill.

LORD STANLEY OF ALDERLEY admitted that a great deal of evidence came before this Court which it was very desirable should not be published; but the principle which it was proposed to introduce by this clause—the power of enabling a court of justice to try cases with closed doors—was a novel, and, he thought, an evil one. Many cases came before Courts of assize and common law which involved details quite as disgusting as any of those in the Divorce Court, and the arguments in favour of secrecy would therefore be quite as strong in regard to those Courts as with reference to this. He recommended their Lordships to pause before they assented to this provision.

THE EARL OF DONOUGHMORE likewise opposed the clause on the ground that publicity was essentially necessary to secure confidence in the administration of justice. When under the previous state of the law cases of a similar description were tried in their Lordships' House their doors were never closed.

LORD CRANWORTH said, the Courts frequently assumed their power of excluding the public, and hearing the cause *foribus clausis*, where it seemed to be desirable for the sake of public morality, and the chance of a Judge closing the doors when public decency did not require it was so small that it could not be compared with the advantages which would be derived from adopting this provision. He thought it for the public interest that the public should be shut out from hearing these shocking disclosures.

VISCOUNT DUNGANNON thought that, if it was sometimes found necessary in the Common Law Courts to hear particular causes with the public excluded, some power should be especially given to this Court to do so.

LORD BROUGHAM pointed out that their Lordships possessed the power which it was proposed to confer on the Court. Whenever a Divorce Bill was in progress they might any time order all strangers to withdraw.

The Earl of WICKLOW thought that if Parliament passed the Bill with this clause it would be establishing a precedent of a most dangerous character, and would make the procedure of the Divorce Court an exception to that of all other courts of law. He thought that the publicity insured by the admission of the public to the hearing of these cases was of itself productive of benefit, for the very apprehension of publicity tended very often to deter persons from bringing cases forward where no fear of the costs would do so. It was acknowledged throughout the whole country that publicity in the proceedings of law courts was of the greatest possible advantage to the public, and he had sufficient confidence in the press of this country that it would not publish details which might be injurious to morals?

The Earl of POWIS reminded the noble and learned Lord opposite (Lord Brougham) that it had always been the practice of the House to print the evidence of Divorce Bills, so that it would have been of no use to exclude strangers while they were being discussed. All the evils incident on the present practice would be met by the ordinary jurisdiction of the Judges, and there was no reason, therefore, for making an exception in this case.

The LORD CHANCELLOR believed this was the only civilized country in the world in which the judicial tribunals had not the power of saying they would sit with closed doors, and his object in giving the Divorce Court that power was to prevent the publication of those shocking scenes of depravity too common in cases brought before that tribunal. He asked where would be the danger in giving it such an option?

Lord STANLEY of ALDERLEY said, he had always understood that the great superiority of our courts lay in the complete publicity with which their proceedings were conducted, and he believed it would be found, where corruption had crept into the administration of justice in foreign countries, that it was in cases where the Judges had dispensed law in private. He felt so strong a repugnance to the Motion under consideration that he would divide the Committee upon it.

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Lord Brougham

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Stanley of Alderley, L. [*Teller*].

On Clause 5, (Petition for the Dissolution of Marriage to be referred to the Attorney General),

The LORD CHANCELLOR said, the object of this clause was to remove the danger, which at the present time existed to some extent, of collusive divorces. It had been suggested that the assistance of the Attorney General might be useful in preventing fraud in all cases where suspicion arose. This clause would therefore empower the Court to call in the Attorney General either before or after the hearing, or at any time before the final decree, to sift the matter under certain rules and regulations to be laid down by the Court.

Lord CRANWORTH thought the clause a good one. It was extremely reasonable that the Court should have the power of referring cases in which collusion was suspected to the Attorney General; he might be made a party opposing the divorce, and there would be an adverse litigation in the case. He could not, however, agree with the Lord Chancellor that there was anything unreasonable in what he (Lord Cranworth) had proposed with the same object. It was not so necessary now, perhaps, as before the clause was amended, but it was not unreasonable. The collusion they had to guard against was that by which both parties to the suit would endeavour to keep from the knowledge of the Court any evidence that would prevent the divorce being decreed. How could this difficulty be met? His noble and learned Friend proposed that the Attorney General should be empowered to inquire into the matter when any case of suspicion arose. He approved of the suggestion so far as it went. But at the same time he did not think the proposition he had himself made at all unreasonable. There might be facts which neither the Divorce Court in the first instance, nor the Attorney General in the second, would be able to discover; but those facts would be known to many persons who would be willing to discover them to the Court if they were made aware of the decree likely to be pronounced in the case. What he had proposed, therefore, was, that the decree should not be an absolute one; and before it was made so, means should be taken to give it publicity among those likely to know why it should not be made; they would inform the Attorney General, and their evidence would put him in motion, and he would take such steps as he deemed best to prevent the Court being made an instrument of fraud.

LORD BROUGHAM said, he would like to know who, under these circumstances, was to put the Court in motion, and suggest to it the ground of fraud and collusion, on which it would refer the matter to the Attorney General in cases where no facts indicating a collusion appeared in the evidence. A decree *Nisi* had been suggested; and it was also suggested that, after that had been promulgated, any one might communicate with the Attorney General; but unfortunately, no one who was not before the Court could make any suggestion to it. When divorce cases were tried before the House of Lords there was nothing to prevent parties from making a suggestion to any individual Peer that was likely to discover the fact of there being collusion between the parties, and the fact could be brought out on the examination of the witnesses or by requiring further evidence. By one of these modes collusion would be proved and the Bill thrown out. This was impossible in the Court of Divorce; no one would make a suggestion to it; it would be an act of contempt. He hoped his noble and learned Friends would take this into consideration.

THE LORD CHANCELLOR said, the Court could infer the collusion from the nature of the evidence; but if it did so, it did not at present possess the means of acting upon it; therefore the closer investigation by the Attorney General provided by this clause was necessary.

LORD BROUGHAM considered that the great source of collusion arose where three parties, the petitioner, the defendant, and the co-defendant, were all in league, and took care that their counsel should not make any statement detrimental to them, or call witnesses calculated to injure their case; and he spoke from practical experience in their Lordships' House when he spoke of the suggestions he had alluded to. Supposing a near relation of the parties applying for a divorce was minded to prevent it, thinking either that he was pursuing a proper course, or desirous from peculiar interests either that the marriage should not be dissolved or that another should not be contracted—the relation in cases heard before the House of Lords, would come with suggestions to their Lordships, and open their eyes to the facts. He remembered two cases of the kind, and one in particular, from Ireland, where the divorce was rejected in consequence of suggestions that were made to their Lordships.

THE EARL OF DONOUGHMORE said, the clause as amended removed the objections he entertained to it, but he doubted whether it would have the effect the noble and learned Lord desired.

LORD WYNFORD thought it would be highly objectionable to refer divorce petitions to the Attorney General for previous inquiry. That functionary was constantly engaged in such important duties, that these petitions would be handed over to some subordinate or another. He should have been glad if some other officer had been selected who could have given his personal assistance to the Court in trying the cases.

LORD WENSLEYDALE said, that his objections to the Bill as it originally stood were much diminished, but not altogether removed by the amended clause. Where the Attorney General was not made a party, no information as to collusion could be by him brought before the Court. To make the clause of use they should allow the Attorney General to receive information and bring it before the Court, although not served with any petition.

After a few remarks from Lord KINGSDOWN, which were inaudible,

Clause, as amended, *agreed to.*

Further Amendment.

The Report thereof to be received on *Monday* next.

DIPLOMATIC PENSIONS BILL.

SECOND READING.

The Earl of CLARENDON said, that the object of the Bill, of which he rose to move the second reading, was to enable persons holding diplomatic pensions to sit in the other House of Parliament. Hitherto persons holding diplomatic pensions had been disqualified by the Act of 6th *Anne* from sitting in Parliament, and he hoped that it would be their Lordships' opinion that the Act, as regarded its application to retired diplomatists, was neither just nor useful, and that it ought to be repealed. It was not just that men who had passed a long period of their time in foreign countries in the service of the public should be debarred from rendering still further service to the country by sitting in the Legislature, and it was equally hard that if a constituency thought highly of a man's talent, or felt grateful to him for his diplomatic exertions, that they should not have the opportunity of electing such a man to represent them in Parliament if they thought fit. It was neither useful nor expedient that Parliament should be deprived of the knowledge or experience that such persons generally brought with them from foreign countries, and especially the information that they could furnish respecting them. Constitutionally there was no more reason why retired diplomatists should be debarred from sitting in Parliament than Admirals or Generals after they had retired from active service. There had been no opposition to the Bill in the Commons, and he hoped that no argument was necessary to induce their Lordships to give it their sanction. But if anything were wanted to show the necessity for such a Bill it was the operation of the present law in the case of the noble Viscount (Stratford de Redcliffe) whose pension was suspended while he sat in the House of Commons. His noble Friend now had a seat in their Lordships' House, but if he had not, and if he were not in a position to sacrifice the amount of his pension, the country could not have the benefit of his services and knowledge in the other House. He moved that the Bill be read a second time.

Viscount STRATFORD DE REDCLIFFE said, the reference which had been made to himself by his noble Friend who had moved the second reading of the Bill might perhaps excuse him for offering a few words upon the subject, and he would engage that they should be really few. It was quite true, as stated by the noble Lord, that he was obliged to make the sacrifice of his diplomatic pension many years ago, when he had the honour of a seat in the other House of Parliament—in short, it had been his lot to be a victim of the Act which it was now proposed to revise. It was natural that he should look into the question at that time, and, indeed, he had taken an opinion as to the real meaning of the Act. The consequence was that no doubt remained in his mind as to the sacrifice which it was necessary for him to make, and he did not hesitate to make it for public considerations which operated powerfully upon him at the time. He must in candour avow that he considered the Act as founded on a just consideration of the public interests when it was introduced in the early part, if he remembered right, of the last century. In those days there was greater laxity in the granting of pensions than could possibly take place under the present action of Parliament and the prevailing sentiments of Government. The terms of service were now so lengthened and regulated that there was no longer any hazard of the liberality of the public in rewarding services abroad being taken unfair advantage of. It seemed to him on the broad principle of justice that no individual should have the enjoyment of his civil privileges curtailed, except when the interest or convenience of the State imperiously required it. The moment, therefore, that a guard was no longer required for the protection of the public, whose representatives had already provided the requisite security, it became advisable that the diplomatic pensions with respect to the power of sitting in Parliament should be put on the same footing as allowances granted on retirement to other public servants. On these grounds, and with reference to the case so justly pointed out by the noble Earl of constituencies wishing to be represented by persons distinguished by their services abroad, and the experience thereby acquired, he hoped that their Lordships would receive and carry through in the same just and liberal spirit as had been shown in the other House of Parliament the Bill which was so properly assigned to the management of his noble Friend, whose official experience so well enabled him to deal with such a subject.

Lord WODEHOUSE said, the Bill had the entire approval of his noble Friend the Secretary for Foreign Affairs, and expressed his belief that it was a measure every way worthy of their Lordships' support.

Motion *agreed to.*

Bill read 2ª, and *committed* to a Committee of the whole House *To-morrow.*

House adjourned at a quarter-past
Seven o'clock till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, July 28, 1859.

MINUTES.] PUBLIC BILLS.—1° Charitable and Provident Societies, &c.; Coinage; Stamp Duties; Probates and Letters of Administration (Ireland); Reserve Volunteer Force of Seamen; Government of India Act Amendment.

2° Roman Catholic Charities; County Cess (Ireland) Acts Continuance; Manufactures (Ireland) Acts Continuance; Colonial Legislatures' Power of Repeal; Barbuda Government.

3° Railway Companies Arbitration; Imprisonment for Small Debts; Municipal Corporations.

SUPPLY.

On Motion for going into Committee of Supply,

NEW ZEALAND—OBSERVATIONS.

SIR JOHN TRELAWNY drew the attention of the House to some circumstances connected with the guarantee given two years ago to an advance of £500,000 to the colony of New Zealand, upon what he believed to be incorrect evidence on the part of Mr. Sewell. A letter had been received, signed by several members of the Legislature and the Speaker, pointing out the inaccuracies to which he had alluded.

MR. CHICHESTER FORTESCUE said, his own impression was that there had been an absence of frankness on the part of Mr. Sewell; but there had not been such a suppression of facts as could have affected the decision of the Committee or the action of Parliament

Motion *agreed to.*

House in Committee.

SUPPLY—CIVIL SERVICE ESTIMATES.

Mr. MASSEY in the Chair.

(In the Committee.)

The following Vote was then *agreed to*:—

(1.) £4,050, Civil Establishment at Bermuda.

(2.) £6,628, Ecclesiastical Establishment, British North American Provinces.

MR. W. WILLIAMS objected, on the ground that land had been granted for these establishments, which, therefore, ought to maintain themselves without coming upon this country. One of the items was for the Roman Catholic Bishop of Newfoundland, whose salary he found had been increased from £100 to £500 a year.

MR. ADDERLEY asked whether the amount of the Vote was an increasing one or not?

MR. CHICHESTER FORTESCUE said, the Vote was gradually dying out, having materially diminished within the last few years.

Vote *agreed to,* as was also,

(3.) £2,342, Indian Department, Canada.

(4.) £42,998, British Columbia.

MR. W. WILLIAMS expressed his astonishment at the magnitude of this Vote, and deprecated the constant accession of new colonies. Very lately he had seen a report of a deputation which waited on her Majesty's Government for the purpose of recommending the annexation of the Feejee Islands. Every one of these new accessions increased the burden on the tax-payers of this country, and he thought some stop should be put to the system. In the present case this was part of an old colony, and £42,000 seemed to him to be a monstrous sum to start with.

MR. BLACKBURN feared that a new colony nearer home than the Feejee Islands would become a charge upon this country next year if the Government did not take care. Efforts were being made to refuse a renewal of the licence of the Hudson's Bay Company, and thus transfer a country which, if it produced nothing to us, at least cost us nothing, to the charge of the Imperial Exchequer.

MR. ADDERLEY asked how much had been raised in the colony by customs, land sales, and mining leases. In his opinion the colony ought very soon to be able to defray its expenses out of these revenues. The colony of Canterbury, New Zealand, of which he had been one of the founders, had never cost the country one shilling, and he saw no reason why British Columbia might not be established on the same principle. Next year he should certainly ask the House not to allow this Vote.

MR. CHICHESTER FORTESCUE had not expected criticism from the right hon. Gentleman, whom he had rather looked to defend the Vote, seeing that the colony had been established by the Government of which he was a Member. The sum asked for was large, but the expenditure had been incurred, and unless Parliament paid the Bill there were no funds to meet it. The chief expense arose from sending out a party of Sappers and Miners, which was the act of the late Government, and an unfortunate accident—the burning of the ship conveying stores—had increased the amount. With respect to the income of the colony, he had no accurate accounts later than February 23rd, at which time the Governor stated the receipts of local revenue, up to that date, at £23,000, and the expenditure at £25,000. There were further receipts expected from the sale of land—town lots—to the extent of £10,000. He really thought nothing could have been more judicious than the conduct of Governor Douglas. He had laid out about two-thirds of the receipts of the colony in forming roads, without which the colonization of the country could not be carried on. The right hon. Gentleman had said that British Columbia should pay its own expenses from the sales of land as the Australian colonies had done; but there was a great distinction between the cases. In British Columbia land for agricultural purposes could not be sold, rapidly or at once, owing to the present want of roads and communication. There was a large population flocking in, attracted by the gold discoveries, and the Governor had tried a monthly licence, but it was found impossible to levy it profitably, as the expenses of collection would have eaten up the produce. An export duty upon gold was in contemplation, but there were difficulties in its way, because the diggers could transfer their gold across the American frontier, and thus evade the tax. The Government had urged upon the Governor the necessity of making the colony self-supporting, and had been warned that he must not expect perpetual grants from that House ; and he hoped in a short time that result would be arrived at. But in the mean time it was impossible to form a new colony without giving it some assistance at starting.

Mr. WALPOLE thought that, considering the circumstances under which the colony was established, considering the necessity for establishing it, and considering that his right hon. Friend the Secretary for the Colonies under the late Government had given full information to the House as to the expenses which the formation of the colony was likely to entail on the country, it would not be just to object to the present Vote. At the same time he concurred with the late Government, and with the hon. Gentleman, the Under Secretary for the Colonies (Mr. C. Fortescue), in the necessity of the colony being impressed with the idea that it must manage to pay its own expenses.

Mr. WILLIAMS said, that this place had been a British possession for a long time, though not recognized as a colony. With its resources it ought to yield a revenue sufficient to meet the expenditure. California has received no assistance from the United States' Treasury.

Mr. DODSON thought it would be unwise to withhold this sum, which was necessary for the establishment of an organized Government in a new colony.

Mr. BLACKBURN thought the Committee were bound to agree to the Vote, as the colony was established with the consent of Parliament, and after a short statement as to the probable expenditure which its establishment would devolve on this country ; but he hoped that the case of New Columbia would not be taken as a precedent for, but as a warning against similar expenses in favour of all new colonies.

Mr. ADDERLEY said, the principle proposed by the late Government in establishing this colony was that it should be self-supporting, and he quoted a passage from a despatch of the late Secretary of State (Sir E. B. Lytton), in which he expressed a hope that the colony of British Columbia would soon be self-supporting, and that the expense of sending out the engineers would be reimbursed from the first balance in the colonial revenue.

Mr. CHICHESTER FORTESCUE said, that the bulk of the items in this Vote, no less than £37,000, arose from a detachment of Royal Engineers having been sent out to the colony. The Hudson's Bay Company had ceased to have anything to do with the colony, and with Vancouver's Island.

Mr. ADDERLEY wanted a distinct answer whether the intentions of the present Government were, as those of the late Government had been, to make the colony reimburse this expenditure out of the growing revenue.

Mr. CHICHESTER FORTESCUE said, it was no use promising impossibilities. As to the late Government he could only say, that a colony could not be made self-supporting by a sentence in a despatch, while at the same time a heavy expenditure was imposed by the Home Authorities. The present Government would do all they could towards rendering the colony self-supporting; but it would only be deceiving the House to say that there was much probability of the amount now voted being reimbursed.

MR. LAING remarked that the present Government had shown a disposition to introduce economy in respect to this colony, as upon taking office they found pending a contract for a mail service and the establishment of a mint, questions which they had disposed of for the present.

Vote *agreed to.*

5. Motion made, and Question proposed,

"That a sum, not exceeding £24,728, be granted to Her Majesty, to defray the Charge of the Salaries of the Governors, Lieutenant Governors, and others, in the West Indies, and certain other Colonies, to the 31st day of March 1860."

MR. W. WILLIAMS did not understand why the people of this country should be taxed to pay these Governors. At all events, the Governor of Western Australia had no business whatever in the Estimate, for the present condition of that colony was prosperous. He, therefore, moved that the Vote be diminished by £1,800, the amount of the salary of the Governor of Western Australia.

Motion made, and Question proposed,—

"That the item of £1,800 for the Salary of the Governor of Western Australia be omitted from the proposed Vote."

MR. NEWDEGATE asked, whether the Government had turned their attention to the possibility of finding a new sphere in which convicts discharged from prison might recover a position in society? The ticket-of-leave system had failed; and he was convinced that a sphere for the recovery of those persons was not to be found under our present system. The law when it condemned a man to penal servitude did not intend to affix on him a punishment which should pursue him during his whole future career; yet that was the effect of the existing system, for it affixed a stigma from which few recovered in this country. Was it not possible to employ the convicts upon public works in the Colonies, and then to find a sphere for them in the Colonies after their sentence had expired? That system had been successfully carried out under the system of assignment, until the sphere for its operation, was unwisely narrowed; the existence of such colonies as the Cape of Good Hope and Australia owed their existence to it. He would also draw the attention of the Government to the circumstance of many convicts losing their intellect in consequence of the severity of the discipline to which they were subjected in this country. The law did not intend to condemn a man to a punishment worse than death, when it condemned him to penal servitude; and yet he knew instances of insanity, produced by the present system of prison discipline, the separate system, in recent instances, as the result of convictions, within the constituency he had the honour to represent. He would recommend the Government not to lose sight of the great benefits which the colony of Western Australia conferred on the mother country and on humanity by the employment, and, he was happy to say, the profitable employment of convicts, after their discharge from prison.

MR. CAVE said, that with regard to the West Indian colonies these Votes were only votes in aid, and that the colonists themselves paid a portion of the expenses. The whole subject of the government of the West Indian Islands was in a most unsatisfactory state. The salaries awarded to the governors of the smaller islands were generally very inadequate. He conceived that by forming them into groups, and having one establishment for each group, the Government would be carried on more efficiently and more economically; and in a few years the West Indies would not require the aid now given them for the payment of a portion of the salaries of their Governors.

MR. CHICHESTER FORTESCUE said, with regard to the Motion of the hon. Member for Lambeth, that he thought the hon. Member had been rather unfortunate in choosing this particular Governor as a victim, because the colony of Western Australia performed very important functions towards the mother country. He was not prepared to give an answer to the great and serious question raised by the hon. Member for North Warwickshire. He could only say that the Colonial Office would not undertake to make the mischievous attempt of forcing convicts upon colonies which had expressed most unmistakeably their feeling against receiving them. No doubt, the hon. Member alluded to the establishment of a new penal colony. He could not say what might be the intentions of the Government on that head; but with respect to Western Australia, that colony did receive a certain number of convicts, and disposed of them after the expiration of their sentence, by settling them in the country. It was on that ground that Western Australia was included in the present Vote, and this sum might be considered as a contribution from the mother country to a colony which performed towards her most valuable services.

Mr. MONCKTON MILNES said, that it appeared to him to be perfectly useless to found penal establishments at the other end of the world which should be nothing more than convict prisons. The convicts ought ultimately to be fused with the population. He thought the House would display little gratitude to Western Australia by refusing the present grant. If the employment by that colony of convicts in hard labour was found profitable, other colonies would be induced to reconsider the determination they had come to of refusing convicts.

Sir HARRY VERNEY thought that Rupert's Land would be glad to receive convicts of good character. [*Laughter.*] Of course no convicts could be well considered men of good character; but there were classes of convicts, and he meant a better class of convicts.

Mr. W. WILLIAMS did not suppose that the colony received convicts to benefit this country, but simply to benefit itself. He would, however, trusting that the matter would be taken into consideration by the Government, withdraw his Motion.

Motion by leave *withdrawn.*

Vote *agreed to.*

(6.) £19,350, Salaries, &c., Stipendiary Justices West India and Mauritius,

Mr. W. WILLIAMS observed that these magistrates were first established during the apprenticeship system in the West Indies, and that system had now been abolished for twenty-two years.

Mr. CHICHESTER FORTESCUE said, it was not the intention of the Government to fill up the vacancies in the places of the present magistrates when they should become vacant.

Vote *agreed to*, as were also

The following Votes:

(7.) £10,230, Civil Establishments Western Coast of Africa.

(8.) £6,533, Island of St. Helena.

(9.) £960, Heligoland.

(10.) £2,067, Falkland Islands.

(11.) £4,299, Labuan.

Mr. W. WILLIAMS objected. This place, if supported at all, ought to be supported by the Indian Government. It had been originally taken possession of by a personnamed Brooke, who kept it as long as it suited his purpose, and then handed it over to the Government. The occupation of this place had been totally unprofitable to this country, and he should move that the whole of the Vote be disallowed.

Mr. SOTHERON ESTCOURT was much surprised to hear the hon. Gentleman speak of so remarkable and distinguished a man as Sir James Brooke, as "a person named Brooke," and he was sure that the hon. Member would, on reflection, be sorry that he had spoken of him in such a disparaging way. He knew nothing personally of Sir James Brooke; but he believed that the motives which originally induced him to take possession of Labuan were of the highest and purest character, and that he was principally influenced by a desire to spread the blessings of Christianity. He thought the hon. Member should not bring forward a question of this character in this incidental way, and he would advise the hon. Member to follow the example of the late Mr. Hume, and give the House an opportunity of dealing specifically with the question.

Lord STANLEY hoped, that the Government would take the question of the retention of Labuan into their consideration. He did not see what Imperial interests were served by the establishment; and in 1857 a promise was given that if Labuan did not pay its expenses, the question of its abandonment as a Government establishment was to be seriously considered. The local revenue had decreased by £1,090, and the net increase of the Vote was £2,842; and he did not hear that any success had attended the attempts to develope the natural resources of the island.

Mr. MONCKTON MILNES differed in opinion from the noble Lord, and concurred with the large body of commercial men who had by memorials and other means expressed their opinion of the utility not only of this colony, but of Sarawak; believing that an establishment of English power in that part of the world would in future be most important. He thought that the great and illustrious man who had established the colony, and who was now in this country stricken down by ill health, deserved some other reward than the disregardful language which had been used with respect to him. He did not know a more noble instance of what an energetic Englishman could do than was afforded by the adventures of Sir James Brooke in those almost unknown quarters of the world. He believed that hereafter Sir James Brooke would be regarded with the same feeling as Sir Walter Raleigh and others who had benefitted their country by their adventurous enterprise.

Mr. W. WILLIAMS said, he had been guilty of no disrespect to Sir James Brooke. He had called him Brooke, and the right hon. Gentleman (Mr. Sotheron Estcourt) had called him Sir James Brooke. That was all the difference between them. He wished also to be informed what Sir James Brooke had done for Christianity in Labuan.

Mr. CHICHESTER FORTESCUE agreed in the sentiments expressed on both sides of the House with respect to the admirable character of Sir James Brooke, who had no doubt established the British name and fame in those remote seas. He trusted that the hon. Member for Lambeth would not divide the Committee on his Motion. The question was, on a former occasion, brought under the consideration of the right hon. Member for Taunton (Mr. Labouchere) whether this Vote should be continued on the Estimates much longer, and the present Secretary for the Colonies felt it was a question deserving most serious consideration. He agreed with the noble Lord (Lord Stanley) that in a pecuniary sense the colony had been a failure, and it was necessary to consider whether any imperial interests would be served by retaining it.

Mr. PEASE said, a great many intelligent men in the kingdom felt that any facilities afforded by the possession of this island were not worth having at the price given for them.

Vote *agreed to.*

(12.) £12,708, Emigration Board.

Mr. ADDERLEY said, that the number of Commissioners might be reduced. The Colonies complained of the manner in which the business of the Emigration Board was conducted, and were establishing offices of their own in England. The matter was one for the Colonies more than for this country; the Colonies were the parties interested in the emigration of persons from this country. The number of emigrants now sent out by the Commissioners were very few. He had no objection to the part of the Vote which was for the payment of the officers at ports, who discharged very important functions under the Passengers' Act; but to the part which provided for the expenses of the Emigration Board he did object, and early next Session he would move a reduction of the staff by one Commissioner and one Secretary.

Sir HARRY VERNEY alluded to the atrocities practised upon emigrants on board ship. He was one who did not think emigration necessary. Instead of sending our people away, we ought to endeavour to keep them at home; we had not too many; we wanted more.

Vote *agreed to*, as were the following—

(13.) £13,000, Captured Negroes and Liberated Africans; and

(14.) £11,050, Mixed Commissions for Suppressing Traffic in Slaves.

15. Motion made, and Question proposed,—

"That a sum, not exceeding £76,404, be granted to Her Majesty, to complete the sum necessary to defray the Expense of the Consular Establishments Abroad, to the 31st day of March 1860."

Mr. MONCKTON MILNES said, that the Committee which sat last Session to investigate this subject might have continued their labours with advantage. It appeared by this Estimate no change was made on the old system, except by additional expenditure, and he did not wish that that should be the only notice taken of the labours of the Committee. He did not believe that if the recommendations of the Committee had been acted upon any great additional expenditure would have been incurred by the country and the service would have been put on a greatly improved footing. He thought there should be but two classes of consular agents. One class should consist of trained gentlemen who had full knowledge of the requirements of commerce and of mercantile law amply remunerated, who should fill the office of consul at the chief port of each country; and the other should consist of respectable British merchants at the various minor ports, whose zeal should be stimulated by the prospect of honorary distinctions at the disposal of the Sovereign. The consular office should have a distinct and definite character, and should not be given to any accidental friend of the Foreign Office. At present the unsatisfactory position of needy men representing British interests was equally unjust to them and injurious to our national character. The recommendations of the Committee related both to the payment of consuls and the manner of their appointment. One cause for the first recommendation was the greatly increased cost of living at many ports, especially in the Levant and countries contiguous to the Levant. He understood that the late Government had left behind them a paper upon this subject, in which the question of fees was treated, and a proposition made to recur to the system of tonnage fees, whereby the expenses of the consular establishment would wholly fall upon the shipping interest. He thought this was not a moment to increase the burdens pressing upon that interest, and therefore he hoped the subject would be fully considered by the present Government.

Mr. W. WILLIAMS said, that the consular system required revision, for he was of opinion that many of these officers were utterly useless. He entirely disagreed from the propriety of increasing this Vote by £6,370 for increased consular salaries. The first of these fortunate officials was the consul at Marseilles, whose salary was increased from £550 to £900 a year. He would like to know what increase of trade we had with Marseilles to warrant such an increase. He also found that this gentleman was entitled to certain fees which amounted to a large annual sum. The salary of the consul at Barcelona was proposed to be increased from £400 to £550 a year. It was absurd to say there was any trade with Barcelona sufficient to justify such an increase. At Alexandria the consul's salary was proposed to be increased from £600 to £1,000 a year. He was able to congratulate the Committee on one item removed from these Estimates, to which he had called attention for the last three years. He alluded to the salary of £400 a year for a consul at Cincinnati. When he found that the salaries of the consuls at New York and Boston, where there was a large trade, were still left at £500 and £200 a year respectively, he could not believe that the increase in the salaries of the other consuls arose from any other motive than favour; and he therefore moved the reduction of the Vote by a sum of £6,375.

Motion made, and Question proposed,—

> "That the sum, not exceeding £70,029, be granted to Her Majesty, to complete the sum necessary to defray the Expense of the Consular Establishments Abroad, to the 31st day of March 1860."

Sir MINTO FARQUHAR said, that the bulky volume which the Committee on the consular service had published was a sufficient proof that they had not closed their inquiries prematurely. He did not think the "slaps" which his hon. Friend the Member for Pomfret (Mr. M. Milnes) had taken at the late Government were justifiable. The Committee only closed their inquiry last August, and the late Government could not in the time that had since elapsed have prepared a satisfactory report on a matter requiring a correspondence with consuls at distant ports, and an attentive consideration of their communications as well as of the recommendations of the Committee. That Committee had taken great pains in the conduct of their inquiry, and he must observe that the evidence taken by them showed that a more honourable, a more intelligent, and a more distinguished body of public servants than the consuls employed by the country did not exist. As regarded what had been said by the hon. Member for Lambeth (Mr. Williams) against the increase in some of the salaries, that hon. Gentleman seemed to forget that within the last few years the expenses of living at foreign ports had vastly increased. In some cases they had been trebled. Instances had been brought under the notice of the Committee in which the consuls supported the respectability of their office out of their own private income. Although as little disposed as the hon. Gentleman himself to waste the public money, he was sure that the country desired to treat public servants not only with justice but liberality.

Mr. MONCKTON MILNES wished to draw the attention of the Committee to the case of Marseilles. When Mr. Turnbull was appointed consul at that port in 1816 he received fees. In 1826 he was placed upon a salary of £800 and forbidden to trade. In 1832 his salary was reduced to £600 and permission to engage in trade restored; which was, however, of no use to a man whose connection with mercantile affairs had ceased six or seven years before. In 1835 the salary was further reduced to £550. He hoped the hon. Member for Lambeth would not run a muck against salaries without reference to other circumstances.

Mr. LAING said, it could not be expected at that time to go into the general question connected with the consular system. A paper relative to the mode in which it was proposed to carry out the recommendations of the Committee would shortly be laid on the table, and the matter could then be fully discussed. This paper could not be prepared in time to alter the present Estimates. With reference to the objection of the hon. Member for Lambeth, he believed it would turn out that those increased salaries were made either in cases of evident propriety, upon the recommendation of the Committee, or were merely nominal in lieu of fees, which were now paid into the Consolidated Fund. It was impossible at present to abolish entirely the system of consular fees and substitute fixed salaries; but as vacancies occurred the new appointments were only made upon condition that the fees should be paid into the Consolidated Fund, and the person appointed to the office to receive a fixed salary.

LORD WILLIAM GRAHAM did not exactly understand the value of consuls, for he recollected that the consul at Marseilles was unaware of any "extraordinary preparations" just before the Emperor Napoleon forwarded 70,000 men from that port to Genoa. If he had merely used his eyes he must have seen some unusual bustle. Lately, too, when the noble Lord the Secretary of State for Foreign Affairs inquired respecting preparations alleged to be making at Brest, the consul at that port was found amusing himself elsewhere.

MR. A. SMITH called attention to an item in the Estimate of £500 for the salary of the consul at New York, and to another item of £500 pension to Mr. Barclay, late consul at New York, on account of the abolition of the office.

MR. LAING said, the matter belonged to the Foreign Office, and he could not explain the apparent contradiction at present.

MR. W. WILLIAMS said he should persist in his amendment.

Motion put and *negatived.*

MR. W. WILLIAMS said, he would have divided, only that he was afraid he should not have found another teller.

Vote *agreed to.*

(16.) £67,363, Consular Establishments in China, Japan, and Siam.

MR. ENNIS said, there was one item in this Vote of £7,800 for Interpreters in China. He thought the consuls ought themselves to be able to speak the language of the country they were in.

MR. WISE said, that was precisely the reason of the item to which the hon. Member objected. A number of young gentlemen had been sent out to those countries as Interpreters to be trained up for the consular service.

Vote *agreed to.*

(17.) £20,000, Extraordinary Disbursements of Embassies and Missions Abroad.

MR. WISE called attention to the great increase which had taken place in this Vote during the last few years. During a very short period the Vote had increased from £16,000 to £40,000 a year. However, the amount voted had not been required, the sums actually spent being in 1856 £27,482; in 1857 £30,732, and in 1856 £30,734. That being so, it appeared to him to be unnecessary year after year to take a Vote for some £10,000 more than was required. He would be glad to know if these unexpended balances were in the Exchequer or to the credit of the Government. These diplomatic expenses had increased most enormously of late years. Since the year 1840 no less a sum than £6,477,000 had been voted on account of these services. He wished to invite the attention of the Secretary of the Treasury to this subject, and he trusted that the right hon. Gentleman would urge upon the Foreign Office the necessity of more economical arrangements. In 1853 he stated before a Select Committee that if care were not taken these diplomatic services before many years would amount to half-a-million annually. He regretted to inform the Committee that his fears had been more than realized, for the Estimate for the present year was £521,665. He should state to the Committee what the items of expenditure on this account for the present year were: in addition to £82,000 for the Foreign Office, and £40,000 for secret services, he found the following sums voted, namely, for consular service and pensions, £242,796; for diplomatic salaries and pensions, £183,936; for special missions, £41,497; outfits, £18,025; extraordinary disbursements, £40,000; repairs of three embassy houses, £5,390; British consulate at Constantinople, £10,000; making in all a sum of £521,665. The manner in which these Estimates were prepared was somewhat extraordinary, and seemed specially framed not to give clear information. For instance, they found a sum of £12,000 was the estimate for the embassy at Paris; but hon. Members were not to suppose that was the whole of the expenditure for that embassy. They would find items relating to that establishment running through other Estimates; such as a charge of £1,140 for keeping up the Embassy House, and £3,817 for extraordinary charges, including one item of £1,000 under the comfortable head of "miscellaneous charges." Then, the repairs to the Embassy House had cost the country (including the sum voted last year) no less than £150,000 since 1816. If they looked to the Foreign Office expenditure they found an expenditure of £10,000 for postage, and yet among the "extraordinary charges" there was an item of £4,000 for postage, and also an item of £7,106 for extra couriers. Unless hon. Members went through all the Estimates they never could find out the expenditure of any one department. It was desirable that the whole of the items should be put together under the head of each department. A singular and unfortunate item in this Estimate was £5,003 for interpreters, *attachés*, and clerks. Certainly, if at the Foreign Office a strict examination was discouraged, and writing in a bold hand with distinctly formed letters was not thought desirable, then, indeed, extra clerks and interpreters might be required. He would now give an instance of the manner in which the public money was lavished. The extraordinary expenses for Lisbon were put down at £536; and notwithstanding the enormous diplomatic establishment in Portugal, the King having lately thought fit to marry, a special mission of congratulation was sent, increasing the expenditure by £1,393. The Minister sent to Florence had an outfit of £800, and after staying a few weeks or months at his post was sent to America, and got another outfit of £900, and the new Minister for Florence also received an outfit. He hoped that the Secretary to the Treasury would consider these things. This enormous expenditure was gradually increasing, and he trusted that the hon. Gentleman would endeavour to check it.

Mr. ELLICE (Coventry) thought the Committee was indebted to the hon. Gentleman for the attention he paid to this subject, and thought that the continued increase of the estimate required vigilant supervision of the department. But, with regard to the embassy at Paris, it must be borne in mind that Paris was the centre of all our diplomatic affairs in Europe, and that this country had to maintain a certain importance and dignity there. The Paris embassy must either be maintained in equal importance with the embassies of the other States of Europe, or, if not, that House ought to relieve the poor nobleman or gentleman employed to transact diplomatic affairs in that capital from the enormous expense which was attached to his condition. Their diplomatic agent at Paris must either be paid in such a way as would enable him to maintain the dignity of his country, or he must be cut down at once to the condition of a simple Minister, with a small house to live in, where he might put on the door, "No English people entertained here." Let the Committee consider the position in which the Ambassador at Paris was placed. Lord Granville spent an immense private fortune beyond the salary allowed him to maintain the dignity of his position. The English Ambassadors at Paris were generally half-ruined by the honour, and it was with the greatest difficulty that Lord Cowley maintained the position he wished to maintain on the salary he got. In the other observations of the hon. Member he cordially concurred, and he thought that this annually increasing expenditure might, by inquiry, be stopped.

Mr. BENTINCK thought an unfair construction might be put on the recent correspondence respecting Examinations, in consequence of the observations of the hon. Member for Stafford (Mr. Wise). All that was to be inferred from that correspondence was that a young man of great abilities and of mental aptitude for a post ought not to be disqualified simply on the ground that he could not write a clerklike hand. He quite agreed with the right hon. Member for Coventry in respect to the Embassy at Paris. A large expenditure was essential there for the credit of the country; but he thought the Committee were indebted to the hon. Member for Stafford for his remarks, because there was a strange tendency in that assembly to be stingy and close-fisted in matters of the utmost importance, and unduly liberal in other matters.

Mr. LAING said, that with respect to this particular Estimate of £40,000, the actual expenditure was always a year in arrear of the estimated expenditure, and it did not appear to be the case that, though £40,000 were voted, the whole sum was expended. The total amount of the expenditure in 1857-58 was only £30,734. That was a proof that on the part of the Foreign Office there was no reckless disposition to throw away the public money, merely because it had been voted. There could be no doubt, however, that the full amount of the present Vote would be required, as increased activity of diplomatic intercourse, and the multiplicity of telegraph messages, arising out of the affairs on the Continent, had caused great expenditure. The hon. Member for Stafford, in speaking of the payments for Interpreters and Clerks, had touched on the controversial question of the education test; but nearly the whole of those payments were made in Turkey, and the hon. Member would hardly carry the test so far as to require a knowledge of the Turkish language. The rest of the payments were chiefly made in the Brazils and the Spanish States of South America. The object of the hon. Member's speech might be taken as a warning against increase of expenditure, and in that point of view nothing could be more useful. With respect to the Embassy establishments, a reduction of expense, unless the diplomatic system was entirely altered, could not be looked forward to, as the expense of living and house rent was increasing. Another cause of expense was the extension of our commerce and opening communications with other countries, such as China and Japan. He did not mention this circumstance as constituting any argument for not exercising strict economy, and the Committee might rest assured that the utmost supervision would be exercised with the view to prevent unnecessary expenditure.

MR. W. WILLIAMS said, that the large expenditure incurred by the Ambassador at Paris arose from his being called on to entertain all the aristocracy of this country when they visited Paris; but why should the working men of this country be called on to pay for that? In addition to the regular allowance for the French Embassy of £10,000, there were extra expenses of £3,819, including an item of £1,000 "miscellaneous." What did that mean? Under the head of Prussia he found an extra charge of £667 for *fêtes* and illuminations, and £1,001 for extra couriers to America.

MR. A. SMITH objected to voting a larger sum than had been expended last year. He thought the hon. Member for Stafford had understated the aggregate of the diplomatic and consular expenditure. It was upwards of £660,000.

MR. LAING said, it would be quite necessary to take a Vote for £40,000; he understood that the whole would be expended.

Vote *agreed to.*

(18). £121,989 Superannuation Allowances.

MR. W. WILLIAMS said, that when the reduction of one public office took place the retiring officers should be gradually employed in other public offices.

MR. LAING said, that the Government were not insensible to the importance of keeping down the retired list, and when the Irish revenue police was abolished every available man belonging to it was employed in the constabulary.

SIR HENRY WILLOUGHBY said, the whole system required revision. A Secretary to the Treasury after five years' service was entitled to an income for the rest of his life of £1,200 a year. There was nothing like it in any other country.

Vote *agreed to,* as were likewise the following Votes:—

(19.) £1,170, Toulonese and Corsican Emigrants, &c.

(20.) £325, Refuge for the Destitute.

(21.) £3,428, Polish Refugees, &c.

(22.) £4,176, Miscellaneous Allowances.

(23.) £1,717, Treasurers, Public Infirmaries, Ireland.

(24.) £2,600, Westmoreland Lock Hospital, Dublin.

House resumed.

Resolutions to be reported *To-morrow.*

ELECTION PETITIONS.

MR. SPEAKER informed the House that certain petitioners who had complained of undue Elections and Returns for Kidderminster, Kingston upon Hull, and New Windsor had signified their intention not to proceed with their respective Petitions.

MR. VANSITTART said, that, as the petition which had just been withdrawn was presented against his hon. Colleague and himself, he hoped the House would allow him to make a few observations. He begged to enter his indignant protest against the present system of election petitions, and against the manner in which petitions were promoted, presented, and withdrawn. He thought it was high time that the House should devise some means by which to ascertain those which were *bonâ fide*, and those which were sham, frivolous, and vexatious. As the law now stood, nothing was easier than for any individual actuated by feelings of petty pique and malevolence to get up a petition, and subject the successful candidate to considerable annoyance and indignity. As regarded the Windsor election, he ventured to say few elections were conducted more fairly. His own canvass resembled a triumphant ovation; and, although he was called away in the middle of it on account of a severe domestic affliction, yet such were the enthusiasm and warmth of feeling on the part of his kind and generous friends that he was returned in his absence. 352 votes were polled in his favour out of 523 votes recorded. However, being obnoxious to a small clique, he was threatened in the early part of his canvass with a petition if another gentleman holding the same political opinions as his own should come forward as a candidate; and this threat was repeated to him by a young gentleman in the legal profession not overwhelmed with briefs or discretion, with this interesting addition, that he would give his gratuitous services against him. There was one other very remarkable feature connected with that petition, and which was that it originated in the rather distant town of Preston, and was put in as a cross petition by the Member for Preston, and the same gentleman who entered into recognizance for that entered into recognizance for Windsor at the same time, place, and hour. He need not assure the House that he treated both these threats with the most perfect indifference, and that up to that day he had not engaged the services of any of those eminent *nisi prius* gentlemen always available on such occasions, and that he had not paid one single farthing towards the withdrawal of the petition. He hoped the hon. Member for Sandwich (Mr. Knatchbull Hugessen) would carry out his promise to introduce a Bill on this subject, and in that case the measure should receive his earnest support.

CIVIL SERVICE EXAMINATIONS.

QUESTION.

Mr. HANKEY said, he wished to ask the Secretary of State for India, whether the recent regulation with respect to candidates for admission to the Civil Service in India, limiting the ages for final examination to twenty-two years, is intended to be applied rigidly, so as to exclude any Native of India who may have come to England expressly as a candidate for the Civil Service when the former limit of age was twenty-three, and who may be precluded by this new regulation from now entering the service of the Queen in India?

Sir CHARLES WOOD said, the noble Lord who preceded him in office had some time ago laid down the rule limiting the age of candidates. That limitation was based on general grounds, which in his (Sir Charles Wood's) opinion justified the regulation made by the noble Lord. A year and a half's notice had been given of the regulation, which was considered ample enough to prevent any one from being prejudiced by its operation. He was aware that the noble Lord and one of the Civil Service Examiners who took a strong interest in the individual to whom his hon. Friend referred, were desirous, if possible, to relax the rule; but they did not think that they should be justified in departing from the regulation which had been made, and he himself was not prepared to reverse the decision of his predecessor.

BATTA FOR THE PERSIAN WAR.

QUESTION.

Mr. ADAM said, he would beg to ask the Secretary of State for India if the usual Grant of Batta has been made to the troops employed in the Persian War; and, if not, what steps Goverment has taken, or intends to take, in the matter.

Sir CHARLES WOOD said, that he had received no communication from the Government of India, or from the Government of Bombay on the subject, and was not aware whether it was their intention to recommend that Batta should be granted.

TELEGRAPHIC CABLES.

QUESTION.

Sir WILLIAM GALLWEY said, he rose to ask the Secretary to the Admiralty whether any and what experiments are proposed to be made as to laying Telegraphic Cables in deep water, before risking the sum voted for a Cable to Gibraltar?

Lord CLARENCE PAGET replied that experiments were now in progress, under the superintendence of the Board of Trade, and under the control of those eminent engineers Mr. Stephenson and Sir Charles Bright, with the view of testing the composition of the outer coverings of Telegraphic Cables.

THE SHIP "NEWPORT."

QUESTION.

Mr. CRAWFORD said, he wished to ask the Secretary to the Treasury to state under what head in the Estimates provision is proposed to be made for the sum of £13,247 7*s.* 1*d.*, costs and damages in the case of the ship *Newport* (Hocquard *v.* The Queen), as set forth in Parliamentary Paper, No. 67, of the present Session.

MR. LAING said, the charge to which the hon. Gentleman referred was not included in the Estimates; but would be defrayed from that branch of the hereditary revenues of the Crown, which consisted of Maritime Droits and the receipts from Intestates' Estates.

THE HIGHWAYS BILL.

QUESTION.

MR. H. BRUCE said, he would beg to ask the Secretary of State for the Home Department whether he intends to proceed with the Highways Bill this Session; also whether he purposes to introduce a Bill, either during this or the next Session, to amend the South Wales Highway Act?

SIR GEORGE LEWIS replied that with respect to two Bills under his charge, namely, the Highways Bill and the London Corporation Bill, he had kept them on the Paper as long as he thought that there was any reasonable prospect that he might be able to proceed with them during the present Session. They had now reached the 28th of July. There was still the Income Tax Bill to be considered in Committee; the Committee of Supply had not closed; there was a Motion on Foreign Affairs still undebated; there was the Indian Budget unopened. With that amount of public business before the House, he did not feel justified in pressing the House to proceed with those Bills; and he would accordingly move that the orders of the day with regard to those Bills be discharged.

MR. H. BRUCE.—The latter part of my question remains unanswered.

SIR GEORGE LEWIS said, he thought it not desirable that the Amendment of the South Wales Act should be included in a general Bill for England; but if any special legislation for South Wales should be required, he would introduce a separate measure.

RIFLING OF CANNON.

QUESTION.

SIR HARRY VERNEY said, he rose to ask the Secretary of State for War whether any steps are being taken, and what, for the rifling of the smooth-bored iron cannon in store for the supply of the Army, Navy, and Forts in the interval that must elapse before a sufficient number of Armstrong Guns can be manufactured?

MR. SIDNEY HERBERT said, the Government had authorized experiments to be made by Sir W. Armstrong in rifling the ordinary iron guns, and one gun would be tried next week. Similar orders would be given at the factory at Woolwich, and he hoped soon to see from fifteen to sixteen iron rifled guns produced per week.

ECCLESIASTICAL COMMISSION BILL.

In reply to Lord J. MANNERS,

SIR GEORGE LEWIS said, he should persevere with the Ecclesiastical Commission Bill; but he should not press the two first clauses, which were objected to on grounds that were likely to raise considerable discussion.

OFFICERS OF THE INDIAN ARMY.

QUESTION.

MR. HASSARD said, he would beg to ask the Secretary of State for War if it is his intention to permit officers of the Indian Army to act as Adjutants of English and Scotch Militia Regiments, they being eligible now to act as Adjutants of Irish Militia Regiments; and whether, as the Army of India has now been brought under the immediate administration of the Crown, it is his intention to permit officers of the Indian Army to send their sons to Woolwich and Sandhurst upon the same terms as to payment as those upon which officers of Her Majesty's other forces are permitted to send their sons to those establishments?

MR. SIDNEY HERBERT said, that as to the first question he had no option in the matter the law made the distinction complained of; but he had prepared a Bill which, if he were allowed to introduce it before the end of the Session, would, among other things, rectify the anomaly complained of. With respect to the second question, he could not see at present how the sons of Indian officers could be admitted to Sandhurst without that institution undergoing extension. The sons of Indian officers had the advantage of Addiscombe, which, he apprehended, answered the same purpose.

PRUSSIA (NEUTRALITY)—FOREIGN AFFAIRS.

PAPER PRESENTED. OBSERVATIONS.

Copy *presented* of further Despatch from

Lord John Russell to Lord Bloomfield [by Command].

LORD JOHN RUSSELL: Sir, in rising to make the statement of which I promised on the state of our Foreign Affairs —a course which I took in preference to answering the various questions which from day to day have arisen—I must say that I could have wished to postpone that statement, and I certainly should have done so, had we not arrived at such an advanced period of the Session. Indeed, even at this advanced period of the Session, I would have postponed my statement had I expected that before Parliament rose there was a prospect that some definitive settlement might be agreed upon, either by other Powers seperately or in concurrence with Great Britain, and which I should be able to announce to the House. But in the present state of circumstances I do not think it would be right to withhold from Parliament a statement as to the position of foreign affairs. And in beginning that statement, I may remark that I am glad to find that in the *Moniteur* of this day there is an announcement that the Emperor of the French is about to put his land and sea forces on a peace footing. I hope that that intimation will be the augury of prolonged tranquillity to Europe. Sir, I will not go into any detail as to events with respect to which the House is fully cognizant. Hon. Gentlemen are well aware that peace was made in a somewhat sudden and unexpected manner. The House is likewise aware that declarations have been put forth by the contending parties—by the Emperor of the French on the one hand, that he had expected that if the war had continued its arena would have been greatly enlarged, and that he might have had to contend on the Rhine as well as on the Mincio. The Emperor of Austria, on the other hand, has declared that the neutral Powers were about to propose bases of mediation which would have been less acceptable to Austria than the terms of peace which he had obtained by direct negotiation with the Emperor of the French. Now, Sir, although I think that both of those reasons had a certain validity —because no one can say that the German Powers might not have entered into the war before any long time had elapsed, and although it is impossible to say that the neutral Powers might not have agreed at some future period upon some plan of mediation—yet in neither respect did the events which were thus foreseen and foretold actually come to pass. With regard to the neutral Powers, at all events, I can say that no concert had been agreed upon by, I believe, any of those Powers, and certainly not by Her Majesty either with Prussia or Russia, or both. There have been overtures for mediation on the part of Prussia both at London and at St. Petersburg. The despatch of Baron Schleinitz, containing those overtures on the part of Prussia, has been published in Germany, and the papers which I have just brought up comprise the answer of Her Majesty's Government to that proposition. But, Sir, although those reasons have no doubt weighed with the contending Emperors in favour of peace, yet I believe there is a reason that has not been given in any State paper which still had its weight— I should say a very considerable weight— both with the Emperor of the French and the Emperor of Austria. I think it was impossible that a Sovereign who had never before been on a field of battle could have failed to be struck with horror on being present at a scene where between 40,000 and 50,000 men, most of them in the prime and vigour of life, were lying around him killed and wounded on the opposite sides. I believe that that sentiment had an effect upon the Emperor Napoleon, and that it also made the same impression on the Emperor of Austria. And, for my part, I think it is no disparagement to great Sovereigns who hold the rule over mighty empires that, while they maintain their policy as Monarchs, they should likewise have the feelings of men.

Sir, the treaty of peace which was made at Villafranca on the 11th of July consists of two parts, very different in their nature. The one part is that which made peace between the two Emperors in consideration of the cession of Lombardy to the Emperor of the French, to be immediately delivered over to the King of Sardinia. Now, with respect to that matter, I do not think it is for us who took no part in the war to comment or to criticize. If the Emperor Napoleon thought that he had made sacrifices enough of French blood and French treasure, and that the further prosecution of the war would lead to an immense waste both of life and property, I think he was fully justified, fully authorized in concluding a treaty of peace. On the other hand the Emperor of Austria had, no doubt, the full right, viewing the sacrifices that he was obliged to make both of men and of treasure, to cede a province for the sake of peace. That was, I think, a question for their own consideration. The cession of Lombardy does not create such a great disturbance of the European system that the Powers of Europe have any right to interfere in regard to that cession. But, Sir, the other portion of the treaty is of a very different nature. It proposes an organization for the future of Italy. Now, I observe that a noble Friend of mine (Lord Elcho) has given a notice of Motion with respect to England entering into any Conference upon that question. That notice, I find, is couched in terms which I must say do not at all apply to the proposition which has been made to this country. My noble Friend's notice of Motion is to this effect,—that this House should declare its opinion that it would be consistent neither with the honour nor the dignity of this country, which throughout the late negotiations has preserved a strict and impartial neutrality between the contending Powers to take part in any Conference for the purpose of settling the details of a peace, the preliminaries of which have been arranged between the Emperor of the French and the Emperor of Austria. That is a proposition to which, I think, everybody would agree. If we were asked to discuss the details of the treaty of peace which has been entered into by the Sovereigns of France and Austria, there can be no doubt that it would not become the dignity or suit the interests of England to comply with such a request. But when the question at issue relates to the future, when the fate of Italy for years is to be dependent upon what may be done in the present year, whether by the Sovereigns of France and Austria alone, or by all the great Powers of Europe assembled in Congress, the matter assumes a very different complexion. Lord Clarendon in 1856, when attending the Conferences at Paris to deliberate upon the question of peace between France and Great Britain on the one side, and Russia on the other, thought it his duty, in conjunction with the Plenipotentiary of France, to bring the subject of Italy under the consideration of the representatives of the European Powers then assembled together. He did so, no doubt, on the ground that the state of Italy was of the utmost importance to Europe. He stated that if the Roman States were to continue occupied, as they then were, by foreign troops, he could foresee nothing but revolution as the result; and he added that it behoved the great Powers of Europe to consider in what manner they could prevent that revolution.

Well, Sir, it has been stated on the part of the Government of Her Majesty—and I have never heard that statement impugned in this House, nor has it ever been denied—that the state of Italy was a fair matter for consideration by Great Britain as well as the other Powers; that the peace of Europe might depend upon the favourable solution of the questions then agitated: and that to the peace of Europe Great Britain could not be indifferent. I shall now state what is the proposition that has been made to us on the part of the Government of the Emperor of the French. It is not, as my noble Friend supposes, that the Government of Great Britain should enter into a Congress or Conference for the purpose of considering the details of the Treaty of Villafranca. It is of a very different nature; and I cannot so well give the House a conception of the nature of that proposition as by reading an extract from a despatch addressed by Count Walewski to Count Persigny, and of which the latter left with me a copy. I cannot produce the preliminaries of peace, which he also left with me, because they are signed only by the Emperor of Austria; they are altogether an informal document, and will require to be developed in a treaty of peace to be hereafter signed. The articles agreed upon at Villafranca were, I believe, word for word the same as those which have been seen in the newspapers within the last day or two, and, therefore it is the less necessary that I should produce them now; but if there is any wish that I should lay upon the table the whole of the despatch of Count Walewski I shall have no objection to do so. Count Walewski states:—

> "A French and Austrian Plenipotentiary are about to meet immediately at Zurich, to convert into a treaty of peace the bases decided upon between their Majesties. You are aware, by my former correspondence, that the Government has always desired to see the great Powers concur for the definitive settlement of the affairs of Italy. His Majesty's intentions have not altered in this respect, and we hope that the Powers will be able to meet, either in a Congress or in a Conference, to confer on all the questions raised by the actual state of things in Italy, and which are connected with general interests."

As the passage which I have just quoted shows clearly what the question is upon which it is proposed that there should be a Conference, I may be permitted to read it again. The object of the Conference is,—

> "To confer on all the questions raised by the actual state of things in Italy, and which are connected with general interests."

You will observe that the terms are general; that they have not reference to the details of any treaty of peace, much less of the particular Treaty of Villafranca, but that it is proposed that the great Powers should confer upon all questions of "general interest." Count Walewski proceeds—

> "I need not add that the very nature of the new relations to be created in Italy will imply a preliminary understanding between the different States of the Peninsula, who will necessarily be called upon to assemble in order to deliberate upon the bases of the Confederation whose establishment the two Sovereigns have mutually agreed to further."

I shall now state what course the Government of Her Majesty have thought fit to pursue. We have not thought it necessary at the present time to give any precise answer to the despatch of Count Walewski. We have thanked the Emperor of the French for his communication; but it has been signified, not in any written document, but through the Ambassador of Her Majesty at Paris, that there are two conditions which are absolutely necessary to be complied with—and there are one or two beside which I should think would be necessary—before we can consent to take part in any Conference. One is that we should see this Treaty of Zurich which is about to be negotiated. I am told that it is still a matter of doubt whether that Treaty of Zurich is merely to confirm, under the signature of Plenipotentiaries, the articles of the treaty agreed to between the two Sovereigns at Villafranca, or whether it is to be an extended treaty dealing with the affairs of Italy generally. The Treaty of Zurich may even be less than the preliminaries of Villafranca, or it may simply confirm the peace already concluded between the two Emperors and the King of Sardinia, not entering into the affairs of Italy beyond, of course, the cession of territory which has been made by the Emperor of Austria; but upon the terms of that treaty, when it has been drawn up and communicated officially to the Government of Her Majesty, will depend whether we shall agree to the invitation which has been addressed to us to join in a Conference of the European Powers. There is likewise another consideration. I hold that it would be utterly useless to go into any Conference upon the state of Italy unless the Emperor of Austria be a party to it. It is understood that the Emperor of Austria, at the time of the signing of the Treaty of Villafranca, objected to any Congress or Conference whatever; and I maintain that it would be absurd to call that a Congress of the Great Powers with the representative of Austria absent, the representative of Prussia likewise in all probability absent, or to attempt to settle the affairs of Italy with those Powers not represented in the Congress. Again, it is important that we should know beforehand what are the points which any Congress or Conference would have to consider. With regard to the main question, the Treaty of Villafranca has, I think, left the state of Italy quite unsettled; the Treaty of Zurich may go no further; and it may, therefore, be a matter of doubt whether any advice to be given at a Conference would be of use in order to compose the affairs of Italy. There must be some sort of agreement or community of views among the Powers attending that Congress; at all events, it would be just as well not to go into it as to enter it with the prospect of breaking off upon a divergence of opinion at a very early stage. The Treaty of Villafranca deals with three matters of very great importance; but I must say that for a treaty intended to settle the affairs of Italy it bears marks of the haste which attended its conception and its execution. It is impossible to say that it contains any settlement of those affairs which in 1856 caused anxiety to the representative of Her Majesty at Paris; which in 1857 and 1858 were matters of deliberation among the Powers of Europe; and which in 1859 were the causes of that short but very bloodly war that has just been brought to a termination. The first question which it raises—and raises, I believe, in consequence of the strong opinion of the Emperor of the French in favour of the project—relates to an Italian Confederation. The article of the treaty does not say that a Confederation is formed, or that a Confederation shall be formed; it only states that the two Sovereigns making the treaty will favour and further the creation of a Confederation. With respect, then, to that article—although I believe that the conception is in itself a wise one, although it stands upon a strong foundation—that, whereas Italy has been a prey for centuries of the armies of contending foreign Powers, if she could have an organization of her own, if her several States could be connected together by a bond of union, and that bond a federal one, capable of affording protection of the defensive character which has always been assigned to a group of federated States, she might then be strong enough to withstand aggression, and there would be no necessity for the intervention of foreign Powers. I say I think that is a wise conception, yet I doubt very much whether the time is come when such a Confederation could be usefully carried into effect. We must consider of what members it is to consist. According to the plan conceived at Villafranca it would consist of the Pope as its President, the Emperor of Austria as one of its members, two Archdukes, the King of Naples, and the King of Sardinia. Now, Sir, I own I cannot conceive that a Confederation so formed would be for the benefit of Italy. It is in the nature of a Confederation of this kind that it should meet to consider of general subjects. Sardinia, as we all know, and as we have observed with satisfaction, has for some years enjoyed a free constitution, and those privileges which belong to a free constitution; but how could it be expected that the Pope, as the chief of that body—that the Emperor of Austria, as one of its members—that the Archdukes, nearly related to the Emperor, and following, of course, his inspiration, would favour such views as the King of Sardinia and his Ministers would entertain? Take as an instance the question—which is as good as any other—of the liberty of worship,—a privilege highly prized in this country, and conceded, to the great satisfaction of many persons here, at Turin and in all parts of Sardinia. In the States of the King of Sardinia there is freedom of public worship; in Tuscany there has been established what is called liberty of conscience—that is to say, any Tuscans or Italians who leave the Catholic Church and become Protestants are left unmolested, but are not allowed to assemble for public worship. In the Papal dominions even that privilege would hardly be allowed. Now, when the Confederation came to meet and to lay down rules with regard to liberty of worship, how could such opposite views be reconciled?—how could the Pope or the Emperor of Austria, who has made a *concordat* with the Pope, favour that liberty of worship which the people of Sardinia regard as one of their highest privileges? It appears to me, therefore, that, although a Confederation may in time become a good system for Italy, the proposition made at the peace of Villafranca hardly fulfils the conditions which are necessary to form a united defensive federal Italy.

But then, Sir, arises another question, and that is as to the mode in which this treaty is to be carried into effect. On that subject it would be necessary to have a full and complete understanding, before Her Majesty could be advised to send any representative to a Conference of the great Powers of Europe. We all know that by one of the articles of the treaty, very short and somewhat ambiguous in its terms, it is declared that the Grand Duke of Tuscany and the Duke of Modena return to their States, granting an amnesty. Now, how are they to return to their States? The Grand Duke of Tuscany is in a position not very dissimilar to that of a sovereign who once reigned in this country. He reigned by virtue of a constitution. He violated the principles of that constitution. His people made representations to him. They called upon him to abdicate. He did not abdicate, but withdrew himself from the country. The Grand Duke is therefore in the position of a sovereign who has violated the fundamental laws and withdrawn himself from the territory over which he ruled. That is a position, I must say, very unfavourable to his return with the full will, approbation, and consent of his people, to the throne which he before occupied. I say it may be so. On the other hand, the people of Tuscany have enjoyed many years of happiness under the mild rule of Leopold I. and his descendants, and it may be that they will choose to recal the son of the Grand Duke to the throne which his father has abdicated. But when I inquire with respect to this subject, I must tell the House that, although I have no official assurance of the fact, I feel convinced—and I have good reason to be convinced—that the Emperor of the French has no intention of employing French troops for the restoration by force of the Grand Duke of Tuscany. I believe likewise, from all I can hear, that the Emperor of Austria does not intend—he certainly has not avowed any intention—to use his troops for the purpose of restoring these two Archdukes, and I think I may presume—at least I presume from what I have heard—that even if he were disposed to do so the Emperor of the French would not consent to it. Well, if that be so, a great difficulty at once arises in carrying the treaty into effect. It is doubtful—very doubtful indeed—what may be the result of the well-considered deliberations of the Tuscan people. They are about to choose representatives, and I think it is much the best course they can take, according to the constitution which their Grand Duke had abolished; and when that body of representatives meet they will consider for themselves—as we in former times considered for ourselves—whether they will have the sovereign who has thus conducted himself,—whether they will restore him—or whether they will choose another sovereign to reign over them. Well, Sir, for Her Majesty's Government there can be but one course in such a case. If the representatives of the people of Tuscany—and I must say they are a most tranquil and orderly population—if their representatives meet and declare that a certain Government is that under which alone they can live happily, it will be impossible for any representative of Her Majesty to go against that declaration. I should say the same with respect to the Duchy of Modena, respecting which there is a diversity of opinion, some believing that the Duke would be received with acclamation, while others maintain that he could not be restored to his throne except by force. These are things upon which, supposing we are to go into a Conference at all, it would be necessary to have the clearest understanding before that Conference assembled.

Another question of which these preliminaries treat is one which is now, and has been for centuries, perhaps the most difficult of all in Italy—namely, the temporal government of the Pope. Now, the declaration made by the Emperor of the French and by the King of Sardinia at the outset of the late war produced at Bologna, as in Tuscany, a change in the Government. Bologna, as the House is well aware, has been kept in obedience for the last ten years by an Austrian garrison, which maintained order in that town and in the neighbouring provinces. A noble Lord in the other House of Parliament—I mean Lord Lyndhurst—in one of his speeches stated the number of persons whom the Austrians had put to death by martial law. I do not doubt that the greater number—I cannot say the whole—of those persons were convicted of robbery and other serious offences; but no people like to have their criminal justice administered by a body of foreign troops, whose law is not their law, but was in this case martial law, which ought to be applied only under unusual circumstances and in extraordinary times. The consequence was that, as soon as these Austrian troops left Bologna, the Cardinal Legate immediately followed them. He was allowed to go away in his coach quite quietly; nobody interfered with him; but still he found it necessary to leave the town as soon as the Austrian troops were gone. This puts me in mind of something that I heard many years ago concerning a Roman Cardinal who was then Legate at Bologna. Every one knows that these Roman Cardinals are apt to utter very refined and witty sayings about political affairs, in respect to which they are not always the wisest legislators or administrators. This Cardinal, whose name I need not mention, was asked how the people of Bologna were going on. He said, "Very quietly; they really behave very well; but I believe there are but two persons attached to the government of his Holiness, myself and the Vice Legate; and as to the Vice Legate, I am not very sure of him." Now that, I believe, has been the state of things in Bologna ever since; and accordingly we have seen, that when a man who is revered and beloved all over Italy, Massimo d'Azeglio, went there with a communication from the King of Sardinia, 70,000 people, it is calculated, attended his reception and gave him an ovation. How, then, is the government of the Pope to be made palatable to the inhabitants of the Legations. The Emperor of the French and the Emperor of Austria say, they will recommend to the Pope certain indispensable reforms; but the Pope, who has his rights of sovereignty likewise, has always said, "I may be driven out of Rome; I may be driven to the most humble village in Italy; but I will maintain my authority even in the most humble village, and while I am here I must govern according to my own judgment and the dictates of my own conscience." How that difficulty is to be got over I really do not know. I am told the Pope is not averse to a Confederation or even to the assumption of the title of its President; but then we must remember that he has always expressed it to be his opinion that he ought not to mingle in questions of war, and that if war were declared he could not, as Vicar of Christ, place himself at the head of a warlike enterprise or Confederation. These, Sir, are some of the difficulties by which this question is attended. The King of Naples, I am happy to be able to state—although he has not done all that which the friends of popular institutions cou'd desire—has made a beginning in the policy of endeavouring to put an end to the system which prevailed under the rule of the late Sovereign of that country. It is said that there was among the institutions of the late King, one much worse than the dungeon in which accused persons were placed—that sort of law—if, indeed, it could be called law—which more resembled the rule with respect to suspected persons which prevailed at the time of the French Revolution, under the auspices of the Reign of Terror, than anything with which we are acquainted. We are informed that in Naples alone, more than 30,000 persons were under the constant surveillance of a despotic and tyrannical police, and that in the provinces there were so many more that the whole number amounted to 100,000. Those persons, were, I believe, unable to practise the learned professions, or even to leave their own dwellings, without being constantly dogged by those police, who by that means acquired an arbitrary power which was said to be greater than the power of the Sovereign himself, or that of the landed aristocracy, or than that exercised by the Ministers of the Crown. The present King has begun to put an end to that system, and it is, I believe, his sincere desire to abolish it altogether. The police, however, have been to a considerable extent enabled to thwart his wishes, and the decrees which he has issued have not in many instances been executed; but, with the aid and under the advice of his present Minister, Prince Satriano—better known by the name of General Filangieri—a man of decided views and of a firm but conciliatory temper, the kingdom of Naples is, I believe, becoming greatly improved.

We find ourselves, then, in this position: —A treaty is about to be made at Zurich. A confidential agent of the French Government has been sent to Vienna, in order to settle with the Emperor of Austria what the bases of the treaty shall be. So far as I can learn, the Emperor of the French is most anxious that that treaty should enable the Italians to enjoy the privilege of self-government. Now, whether they enjoy that privilege under one Sovereign or under another, whether there is to be a Confederation, or whether there are to be two or three powerful States in Italy —I am convinced—and Her Majesty's Government are convinced—that an independent State or States in Italy would be for the welfare of Europe, would avert the dangers which must ever arise from the contests of foreign Powers in her fair lands and among her beautiful towns, and would do much to secure the future of Europe. I cannot say—it is impossible at the present moment to say—that there will be any Congress or Conference on this question. This, however, I may state with the utmost confidence, that it would not be wise on the part of Her Majesty's Government, and still less wise on the part of the House, to come to any permanent and absolute decision on the subject. It would never do for a Minister of the Crown of Great Britain to say that this country, which has taken part in all the great Councils of Europe since 1815—which has taken a great part, under Mr. Canning, in the formation of the kingdom of Greece—which has taken a leading part—my noble Friend who sits near me being at the time Secretary for Foreign Affairs—in the formation of the kingdom of Belgium, and in the separation of that country from the kingdom of Holland—it would, I repeat, never do for the Minister of such a nation to say that we would now suddenly and without any reason withdraw from any such meeting or assembly of the Powers of Europe as that to which I have alluded, if there be any chance that the situation of Italy might be improved, that the peace of Europe might be confirmed, and the independence of the Italian States secured by our taking such a course. At the same time there are all those conditions which I have mentioned which must be well considered before any such assent is given. This I say—nothing could, in my opinion, be worse than to act in the manner in which my noble Friend the Member for Haddingtonshire (Lord Elcho) seems to think the Government of this country is about to act — namely, to assist at the Conferences merely to settle the details of a treaty which might have been agreed to beforehand by other Sovereigns. I have told the House that not only is there no such view in our contemplation, but that no such proposition has ever been made to us. The Emperor of the French has always said, and I think truly, that Italy has been a source of danger, and was in constant peril of revolution, and that that danger could not be completely averted, or revolution finally stayed, unless the Powers of Europe generally were consenting parties to a settlement to which the people of Italy would give their assent, and would recommend itself to the minds of reasonable and just men in all parts of the world. Such is our view of the case. And such being the difficulties which are imposed upon our taking part in any Conference, I may be permitted to say—notwithstanding that the right hon. Gentleman opposite (Mr. Disraeli) has treated the regeneration of Italy with a sneer as a question hardly worthy of serious consideration—that if a country so beautiful in its physical aspect, so endowed by nature, so rich in men of genius of every kind — a country whose fate has been the subject of melancholy chants from the days of Petrarch in the 14th to those of Leopardi in the 19th century—writers who lament almost in the same terms the unfortunate condition of their native land,—if such a country could be made prosperous, and her sons afforded a fair scope for the exercise of their talent and their energy, so that they might be enabled to take their part among the nations of Europe and to contribute their quota—and I feel assured a rich quota it would be—to the progress of that great European family to which they belong—if such an object could be attained, then, Sir, I, for one, should not hesitate to declare that Her Majesty's Government would rejoice at such a consummation.

Motion made, and Question proposed—"That the said Paper do lie upon the Table."

MR. DISRAELI: Sir, there was one portion of the noble Lord's address which appeared to me to be veiled in much more obscurity than the House will be disposed to desire—I allude to where he spoke of terms offered or supposed to be offered to the Emperor of Austria by his allies, and which in the opinion of that Sovereign were much more severe than those which were extended to him by his opponent. Now it would, I think, be desirable that the noble Lord, having touched upon that subject, should have given the House, with respect to it, more information than I for one had been able to gather from his observations. The position of affairs is so critical; so much depends upon the conduct of the Government of this country at the present moment and the influence of Parliament, owing to the period of the year when our attention has been drawn to these important matters, is necessarily so limited, that I shall offer no apology to the House for following the noble Lord through some of his remarks.

The noble Lord stated to the House, though in somewhat ambiguous terms, that a declaration had been made by the Emperor of Austria that he had consented to conclude the present peace—which all sides appear to think unsatisfactory—because it was shown to him that he must expect severer terms through the mediation of his natural friends and allies. Now, the noble Lord has used such ambiguous terms in this statement that I cannot help pressing him for information more clear and satisfactory than any which we have as yet received, and I trust that Her Majesty's Government will not grudge the communication of such information to the House. Were there not, let me ask, certain projects of settlement laid before the Emperor of Austria, which he supposed to have received the approbation of the neutral Powers and which he found more severe than those offered to him by his enemy? Nobody can suppose that this is a pure invention by so great a personage as the Emperor of Austria. It would, therefore, be extremely satisfactory if the noble Lord could assure the House that no projects of settlement emanating from the neutral Powers had by their agency, or the agency of Her Majesty's Government, been brought under the notice of that Sovereign. The declaration of the Emperor of Austria, however, is precise. A very important neutral Power, Prussia, has come forward and stated that she knows nothing of such a scheme having been submitted to his notice. I do not collect from the noble Lord that Her Majesty's Government were equally ignorant of the communication. I want to know whether they were in possession of such a scheme. I want to know whether, through the agency of Her Majesty's Government, the scheme was placed before the Emperor of Austria. I think that when Ministers come forward upon a critical occasion like this, and wish to influence not merely the opinion but the conduct of this House, we have a right to require from the Government liberal communications as respects their conduct. I trust that when some other Member of Her Majesty's Government takes a part in this debate it will not be considered disingenuous on his side to explain this part of the conduct of the Government. It has reached me—it may be perfectly unfounded, but it would be a source of satisfaction to this House and country if they were assured that it is unfounded—it has reached me that the scheme for the settlement of hostilities which the Emperor of Austria, comparing it with the terms offered by his enemy, found so repugnant to his feelings and interests was brought to his cognizance through the influence and agency of Her Majesty's Government. That, surely, is a ciscumstance which ought not to be concealed from this House, or treated if true in the ambiguous manner in which the noble Lord has slightly touched upon it this evening. It may be said that this plan for the settlement of Italy, which reached the noble Lord as the responsible Minister of the Crown, and which he in his discretion took measures to place before the Emperor of Austria, was presented without offering any observations of his own, and that Her Majesty's Government were not, therefore, bound by it. But if this be so, I think hon. Gentlemen will agree with me that the very fact that Her Majesty's Government were the organs of communication by which propositions of this nature were laid before the Emperor of Austria is in itself a species of sanction of the plan which was presented. And if my statement be correct, and if Her Majesty's Government defend their conduct on the plea that they gave no opinion of the terms which they were the organ of laying before the Emperor of Austria—then it will be satisfactory to the House—for on a question of this gravity it is of the utmost importance that we should be in possession of authentic and ample knowledge of the subject—it will be satisfactory to the House if at the same time the Government will assure us that they made no communication to Her Majesty's Minister at Vienna, nor instructed that Minister to recommend Austria to accept those proposals. Because let the House for a moment consider, if what I have stated—and I shall be glad to hear that it is utterly unfounded—if what I have stated be correct, what is the practical result? The practical result is this—the Emperor of Austria has obtained easier terms from his enemy than he had suggested by those whom he has described as his natural allies. Her Majesty's Government have, in fact, again committed the same mistake which they committed in 1848. At that time a proposition was made by the Austrian Government similar to the terms which have now been, through the influence of the French Emperor, accepted. At that time a proposition was made to close the disturbances which then existed in Italy by the relinquishment of Lombardy—the very terms which after this bloody war have become the bases of peace. Her Majesty's Government then was, I may say, this very identical Government—because affairs of this nature are carried on by two Ministers, the First Minister and the Secretary of State, and the only difference in the two responsible individuals is this, that the noble Lord the present Secretary of State, was then First Minister, and the present First Minister was then Secretary of State. Let the House observe how completely, if this account be true, it is a repetition of the fatal blunder of 1848. Then they repudiated the proposition of Austria, and said that Venice and the Venetian territory must be a part of the territory relinquished by the Emperor of Austria. They made that a *sine quâ non.* In the present instance these propositions, so slightly noticed by the noble Lord, were couched in the same vein and conceived in the same spirit. He would not—this neutral Power—this natural ally—would not interfere to mediate except on terms of that severe character. But in the meantime the enemy of the Emperor of Austria offers himself milder terms. The Emperor of Austria accepts those terms. What is our position? The affair is settled without our interference, and without having obtained those terms which we were the organ of introducing to the Emperor of Austria's notice. But what would our position have been if when those terms of mediation were offered to us instead of giving them the sanction of our transmission, and instead of giving them the greater degree of sanction involved in recommending them through the instrumentality of our Minister at Vienna to the acceptance of the Austrian Government—if free from all prejudice and all passion, which unfortunately, as it appears to me, always influence Her Majesty's Government when this question is before them—we had said to France, "These terms which you offer are too severe; although in their general spirit we agree with you they must be modified, and we will then recommend the Emperor of Austria to accept them"? If Her Majesty's Government had done that—if they had been the means of the Emperor of Austria accepting the terms which ultimately from the Emperor of the French he accepted, in what a different position we should stand to France and Austria. We should be in a great position. We should stand as as powerful mediator between France and Austria for the general welfare of Europe, and Austria would not look upon us as one who had deserted her—Austria would not look upon us with ill-will, though speaking of us as her natural ally, but she would have looked upon us as the Power to whom she was indebted for the terms which she now only owes to her great opponent. I think this is a point upon which Her Majesty's Government should deign to give more information to the House. If it be true that Her Majesty's Government, with all the experience of 1848, with the immense advantages which they have had in dealing with this question which they had not ten years ago, have repeated the same blunder, renewed the same mistake, and placed the country with regard to this question in so unsatisfactory a position, they owe much explanation to Parliament.

Let me turn now to the pressing business of the moment. No doubt, if not to-night, on some other night, adequate information will be afforded upon that point on which I have touched. But let us look at the treaty of Villafranca and the proposition, with which we become acquainted for the first time to-night that England should assist in carrying that treaty into effect. Because that is the real question. Any Conference or Congress held after articles of peace are concluded, attended by a Power who has had nothing to do with the war either by action or by advice, is, in fact, calling on that Power to carry a peace into effect with which that Power has had nothing to do, and arising out of a war in which she has not in any way been connected. I do not mean to say that there may not be grave circumstances which may justify, to some degree, such a course on the part of the Government of this country. I wish to treat the question with that temperateness with which it behoves us to approach it. The noble Lord says that this Treaty of Villafranca must be considered under two heads. In the first place, he says a considerable change of territory is made by this peace, but that it is not a change of territory which in any way, or materially, affects the balance of power. Therefore, so far as that consideration was concerned, it was unnecessary for England to attend the Congress. I think it will be found, as a general rule, which should guide us in these matters, that it never is the interest of this country to attend a Congress unless we are called upon to do so by the circumstance that what is called the balance of power is materially affected. I mean by the balance of power—for the "balance of power" is a phrase sometimes treated with derision by those who do not understand it,—I mean by the balance of power being affected such a change of territory as might create a preponderating influence in favour of a State that is already perhaps too powerful. I agree with the noble Lord that there is nothing in the fact of the transference of Lombardy from Austria to Sardinia which at all affects the balance of power; and therefore, on that head, I agree with the noble Lord that our interference for the present cannot be recommended. I maintain, as a general rule, that we should attend no Conference where the balance of power is not affected, and the instances which the noble Lord mentioned at the end of his speech confirm and do not impugn the accuracy of that principle, because the balance of power might have been materially affected by the construction of the kingdom of Greece, and no one can for a moment contend that it was not materially concerned in the settlement of Belgium. But, says the noble Lord, although the balance of power is not concerned in this transference of a single province from Austria to Sardinia, there is a second head under which we must consider this Treaty of Villafranca, and to what it will lead—and that is, what the noble Lord calls the future of Italy. Now the future of Italy is a subject of very great interest. The noble Lord says I have treated the future of Italy with a sneer. I have so often had opportunities of speaking on this subject in this House, and I have had the misfortune to differ from the noble Lord so frequently upon it, that I will not take the trouble now to vindicate my opinions; I wish rather to speak on the points of business before us. But I would tell the noble Lord this—that it is his misfortune to believe that there exists throughout Italy a Whig party, and until he gets that idea out of his head he never will be able to consider the question in a manner becoming a statesman of his degree. Whenever he begins to speak of Petrarch, I know what it is going to lead to. Several times he has done this when we have discussed the question before, and the noble Lord will allow me to refer him to some observations which a little nettled him some years ago when we discussed this question. I told the noble Lord then that the course he was recommending was one which must end in the confusion of Italy; that that course would bring into active operation all the secret societies of that country; and that if he thought the regeneration of Italy could be effected through the instrumentality of the secret societies of that country, he would find that he was only playing the game of some great military despot who would reap the profit.

But now, says the noble Lord, we must look to the future of Italy. We must look to the future of Italy because, when my Lord Clarendon attended the Conference at Paris after the Russian war, Her Majesty's Government were committed to a policy which acknowledged that it was their duty to counsel, and, if possible, to effect changes in that misgoverned country. Well, but what was the position of Lord Clarendon after the Russian war? It is very true that Lord Clarendon, knowing that at that time—as had often before been the case, but especially so at that time—the state of Italy was one which might lead to public disquietude, like a wise man—and I give his colleagues credit for sharing in the same sensible views—thought that that was a period when, generally speaking, something like a wide settlement of various parts of Europe might be made by the Conference, and that Italy should not be omitted—that that was a moment to recommend a course of policy which might prevent future disturbance and trouble. I do not object to the course then taken. It was exactly the same view which induced the late Government to recommend a Congress with regard to the affairs of Europe. What you recommend before a war takes place, and much more what you recommend in order to prevent a war, is very different from what you would recommend after war has broken out, has been waged, and is concluded. Why a Congress is a very dangerous thing at all times, but it is never more dangerous than in such a case as the present. War is a thing which no one in the abstract approves, and which, generally speaking, we endeavour to avoid; but it does not follow because war is generally to be avoided that you ought not to go to war if necessary. If a Congress was the course which afforded a chance of preventing war, it was the duty of the Government to recommend it. The policy which Lord Clarendon recommended and supported at the Conference of Paris, though to a certain degree it might involve interference in Italy, was a wise policy, which, considering that at that time there was imminent danger of some disturbance, offered to assembled Europe an opportunity of preventing it. The noble Lord then offered a great many arguments generally in reference to federations, the substance of which seemed to prove that though he wanted to go to a Congress yet he could not go. He acknowledged that the abstract idea of a Congress is in his brain—that it is the proper mode of settling this matter—but then he says that he cannot accept this invitation unless a like invitation is made by the Emperor of Austria, and we have not heard that any invitation of that kind has been offered. But if the noble Lord interested in the future of Italy were at once, in consequence of the Treaty of Villafranca, to attend the Conference in order to advance the future interests of that country, would he not be bound by the conditions contained in that treaty with reference to the future of Italy? What was the great object recommended at Paris by the French Government, and I believe by the English Government? It was to secularize the Government of the Roman States. The great point was virtually to reduce the Pope to the exercise of his spiritual power. But, by the Treaty of Villafranca, I find that the Pope is to be the head of a great Confederation. The two policies are exactly contrary to each other. If you go to this Conference will you deal with the Duchies? The noble Lord says the Duchies are not to be dealt with; and though he has no authority for saying so, his instinctive feeling is that France will not interfere by force in favour of the rejected rulers of the Duchies: he has reason to hope and believe that Austria also will refrain from using force in their favour; and I think very properly. Well, how is the affair to be settled? It is not to be settled by the interference of any power in Italy. The noble Lord says that the people of this country would not for a moment tolerate an interference by England in order to place the rejected rulers upon their thrones. If that is the case what is the use of going to the Conference? The noble Lord has touched upon three points on which he thinks discussion will arise if this Conference takes place. First of all he says there is the principle of Confederation, which he approves of; but he says that practically it would not work well in the present state of Italy. Then the noble Lord mentioned a variety of circumstances with which, at present, he said, the principle of confederation would unsatisfactorily cope. But these questions of religious toleration and free worship, to which the noble Lord referred, would not come under the control of a Confederation. They would be matters to be settled by each separate Government. Confederation is, in my opinion, a sound principle with reference to Italy; and the objections which the noble Lord urged against a confederation would not apply. With all his anxiety to effect the regeneration of Italy, and with all his equal anxiety to attend the Congress for that object, the noble Lord to-night has urged objections against that part of the plan which I hope may be practical, but which at least is recommended by many high political considerations. Well, then, if according to the noble Lord's views the confederation principle is not to be acknowledged; if according to his view there is to be no interference in the Duchies; if, in the third instance, all that is left to be dealt with is the Papal Government, why, I ask, is it advisable that we should be drawn into this Conference? The state of Italy as sketched out by the articles of the Villafranca treaty is deemed, I know, by many Gentlemen on both sides of this House to be of a very embarrassing character; and if that sketch is to be worked out according to the articles of the Villafranca Treaty our Government in accepting the invitation to attend the Conference would accept a responsibility which I am sure no one here would wish to sanction. But is it to be worked out in a spirit greatly different from those articles? If so, and we are to enter into Conference in order to bring about a state of society in Italy not contemplated by those who have carried on this war, I ask the House for a moment to consider what is to be the issue of our labours. Either we shall fail in our object or we shall not. If failure be the result all will regret our interference; but if we carry our object into effect—if we establish in Italy a state of society at all like the programme of Milan or the programme of Tiverton, which appeared a short time before it—we must do so by offering inducements to the other great Powers, which I doubt whether Parliament would approve of. If, under all circumstances, we should be chary about the engagements which Conferences and Congresses always lead to, surely when a war has been waged of which we entirely disapproved, when it has been closed on a sudden, when the responsibility of all that has occurred and of all that may occur is one of which this Government is completely clear, it would be the height of rashness and precipitation by any act or any advice of ours to involve ourselves in the responsibility of a settlement occasioned by a war for which we are not answerable. I trust, therefore, that the feeling of the House will be so direct and distinct upon this subject that Her Majesty's Ministers will not feel it their duty to recommend Her Majesty to send any representatives to this projected Conference. I have no doubt there are immense difficulties in consequence of the war and in consequence of the peace. We had nothing to do with the war; we had nothing to do with the peace; and if difficulties arise in which we must interfere, we shall interfere with much greater effect and much greater dignity if we do not do so merely to save other persons from difficulties which they created, and for which we are not answerable.

There is only one observation which I would make, in consequence of the intimation which the noble Lord gave us, that a telegram had arrived from Paris that it was the intention of the Emperor of the French to reduce his armaments both by sea and land. Well, that is excellent news, but its value depends entirely upon the manner in which that policy is carried out. I should not have noticed that, considering that all the information which we had was merely by telegram, had not a Minister called our attention to it in his place at the moment he rose, and evidently with the intention of influencing the opinion of the House. I think myself—indeed I ventured to make the observation the other night—that it is of great importance that the armaments of the great Powers should be reduced. I did not when I made that observation lay claim to any originality. I was not aware at the time that I was at all trenching upon the peculiar doctrines of the hon. Gentleman the Member for Birmingham. He informed me afterwards with great exultation that the propositions to reduce armaments after war was an original principle in politics invented by himself. I have observed that articles of peace were never yet signed, or at least no peace was ever yet concluded, without Members of this House pressing upon the Government to avail themselves of the opportunity of reducing our armaments, and, knowing that our predecessors in this assembly for 150 years have, under similar circumstances, recommended that policy, I certainly was astonished that the hon. Member for Birmingham—although he spoke, I must say, with considerable courtesy of me as his pupil—should have taken that opportunity of informing the House that he himself was the inventor of that policy. I remember some very absurd observations made by the hon. Gentleman ten years ago upon this subject, in the course of which he maintained that peace was the natural state of man in the present day, because the commercial principle was stronger than the political; and in which he said that France could never go to war again in consequence of the alteration of the tenure of land in that country, there being then about seven millions of proprietors. I reminded him then—in the year 1848—that the same tenure obtained in France under the first Republic and under the first Empire; that there were then also about seven millions of proprietors; but that that did not prevent the French going to war. He then expressed other opinions, which I had hoped for his own sake were quite forgotten, and therefore I shall not now touch upon them. But when peace is announced by a Minister, as it was announced in this House, a peace between the two great military monarchies of Europe—especially at a time when the taxation of this country has been greatly increased in consequence of the adoption of very necessary means of defence—there was nothing very wild—there was nothing, I think, very unwise in suggesting that our ally should take this opportunity of establishing in the eyes of Europe, and especially of this country, the sincerity of his friendship for England—which I, for one, have no wish in any way to doubt—by the reduction of his armaments. It seemed to me to be a very natural policy, a policy which would promote the Emperor's own interests, and one which, if he entertain it, he will, I have no doubt, carry out with sincerity. The Emperor ought, however, to understand, if that is the policy which the English Parliament wishes him to adopt, that if he does adopt and pursue it with sincerity — as I have no doubt he will — we are prepared to respond to it in a reciprocal spirit. He ought clearly to understand that we suggest that policy from no wild sentiment, but in a plain business-like manner; and that if he agreed to it we, on our part, are prepared to respond to his views. But then we must know what the reductions are. We must see that reductions are being made in his forces, as clearly as he will know what are the reductions which we are making, and which we can give him ample security will be made. He must not suppose that it is because what is called the peace principle is prevalent in this House, that such a policy is recommended; because, if he thought that he would have the feeling which some attribute to him, but which I do not believe he entertains, he might then treat the House of Commons like children, and hope that by telegrams made up of unmeaning phrases he could influence the policy of this country. That great Prince, I am sure, is too sensible a man to entertain such an opinion for a moment; but, as the question has been introduced to us by the Secretary of State, I think there should be no mistake as to the opinion of the House of Commons upon the reduction of armaments by the Emperor of the French. The reduction of armaments is a natural and proper policy, and one which we may fairly expect to be followed when peace is concluded. It is a policy which this country would hail with satisfaction, and which would give us that security which, under such circumstances, our ally might be expected to give; but it must be a real, absolute, undoubted reduction of armaments, and not a mere exchange of fine vague phrases. If that is, as I believe it is, the sincere policy of the Emperor, it will be met with equal sincerity on our part; it will put an end to great misconceptions as to the views and conduct of that Prince, which I, for one, am more than willing to believe have no foundation whatever; and then, indeed, we may regard as an event which has effected some good for humanity even this war, which, though it has been a bloody has been a brief one, which has brought many persons to their senses, and may tend to restore and establish a good understanding between England and France.

MR. BOWYER said, they had heard an extraordinary speech from the noble Lord the Secretary of State for Foreign Affairs. The noble Lord had informed them that the Government had been invited to join in a Conference to settle the affairs that remained to be settled in consequence of late events; and yet he did not think the wit of man could have invented a speech more calculated to render a Conference nugatory than that which had been addressed to the House by the noble Lord. The one satisfaction which he had derived from it was, that it left no doubt in his mind that Her Majesty's Government were not likely to join in any Conference. He was glad of this, because as this country had had nothing to do with the war, it was best that it should have nothing to do with the peace; and also, because,—the noble Lord would forgive him for speaking plainly—because he did not think that either the Secretary of State for Foreign Affairs or the noble Viscount at the head of the Government could, with advantage to the peace of Europe, take part in any Conference which might be held. There was nothing in their antecedents which led him to look with satisfaction at the prospect of their interference. They had for many years been connected with the revolutionary party in Europe. No foreign Government felt any confidence in them, nor did he believe that the Liberal party in Italy regarded them with any greater satisfaction. He would not refer to proofs which must be in the recollection of the House to show that whenever these noble Lords had interfered in the affairs of Italy they had produced discord and mischief. They had unsettled everything, and had settled nothing in their lives. The noble Lord the Member for London had called attention to the difficulties which existed at the present moment in the way of a Conference; but these difficulties were nothing more than the very points for the purpose of settling which this Conference was about to take place. But for these difficulties there would be no occasion for a Conference at all. The noble Lord had said that one great obstacle in the way of the Conference was that Sardinia was governed under a Liberal constitution, while the other countries which would be members of the proposed federation were ruled by despotic sovereigns. What did the noble Lord mean? Did he mean that Sardinia was to have it all her own way; and that because she had adopted a form of government which Her Majesty's present advisers preferred, all the other members of the Confederation were to be forced to follow in the wake; and that unless Sardinia joined the Italian Confederation, as the noble Lord appeared to wish, this Confederation would not be of any use? The Germanic Confederation was composed of States under every form of government. There was no reason that States which differed in their internal discipline with which the federation would have nothing to do, should not join together for their common defence, and for the settlement of questions which affected them in the aggregate. The noble Lord has also spoken as though what he called the question of religious liberty would have to be dealt with by the federation. The federal authority, however, would have no more to do with the question of liberty of conscience in particular States than with the police and lighting of their streets. The object of the confederation would be to protect Italy from foreign aggression, and to settle those matters which affected the peninsula as a whole; and he could see no reason why a difference in their forms of government should prevent Sardinia and the States of the Holy See from joining in the settlement of matters which affected them in common as Italians. The noble Lord had shown some judgment in touching but lightly upon the question. The parallel between the case of the Grand Duke of Tuscany and that of James II. seemed, however, to illustrate those Whig predilections to which the right hon. Gentleman the Member for Bucks had referred. There was really no similarity between the two cases. The war broke out in consequence of the breach of international law and an express treaty of extradition by Sardinia. She received deserters from the Austrians into her army. This was a just cause of war on the part of Austria. The war thus commenced, with breach of the law of nations, had been carried on in a manner unparalleled in the history of Europe by exciting the subjects of neutral States to rebellion. He would state the case of Tuscany as an example. The Sardinian Minister at Florence was the head of a society avowedly intended to bring about a change of the Government in that country. By means of the secret societies, and of money lavishly expended, a disgraceful revolt was brought about among the Grand Duke's troops, officers and men turned against their Sovereign, and he was forced to leave his country. And what then took place? The Sardinian Minister at Florence put himself at the head of the Government. Was there any other instance of such diplomatic conduct in all history? There was no parallel between his case and that of James II. The same thing took place in the other Duchies. By means of the secret societies, of the expenditure of money, and by the proceedings of the

Sardinian Ambassadors the Sovereigns were expelled. He was not indifferent to the cause of Italian nationality, but he never would subscribe to the doctrine that the end justified the means. The means used in this case had been iniquitous, and the end, as might have been expected, was disappointment. The noble Lord talked about Bologna being anxious for union with Sardinia; but he (Mr. Bowyer) would not believe it. At present the Bolognese were exempt from the conscription, and they were lightly taxed; whereas, if united with Piedmont they would be subject to the conscription, and to heavy taxes. They had a University too, which was almost as important to Bologna as the University was to Oxford. It was closely connected with the Holy See, and he did not believe that the Bolognese wished to be separate from the Holy See, and to be united to Sardinia.

LORD JOHN RUSSELL: I did not say that the Bolognese wished to be annexed to Piedmont.

MR. BOWYER: Though the noble Lord might not have said it, he implied it. What other did the noble Lord mean? He could not have meant that they wished to set up for themselves, and he was too frank to deny that his own wish was that they should unite themselves with Sardinia. The Sardinian Government sent Massimo d'Azeglio to the States of the Pope, and, without having the slightest desire to say a word against that statesman, he could not help thinking that it would have been better for his character in Europe had he kept away altogether from Bologna. He was sent as the Sardinian Commissioner to Bologna to foment the revolution, to take the command of the troops, to levy armaments, and, no doubt, to do all in his power to lead to the union of some part of that territory to Piedmont. That was a proceeding entirely incompatible with the commonest ideas of international law. The noble Lord spoke of these things with some degree of satisfaction. He eulogized the character of Massimo d'Azeglio, and talked of the ovation with which he was received. He (Mr. Bowyer) would like to know all about that ovation—how it was got up—mobs were easily got up and excited, and then it was easy to call it an ovation. In his famous Prussian despatch the noble Lord said that the future government of Italy must depend on the will of the people. That might be very fine language for Brookes's; but the noble Lord who had passed so much time in Italy, ought to know better than to talk seriously in that way of the Italian people. He ought to know very well that the people there were very different from the people here. He ought to know that the power of the secret societies would prevent all real manifestation of public opinion. When he talked of the statements signed by the people, had he no knowledge of the means by which those signatures were obtained? A paper was brought to a man and he was told to sign it. If he refused he was exposed to the vengeance of the secret societies, and, of course, as he did not like to compromise himself, he signed it. And yet the noble Lord talked of manifestations of public opinion so obtained in the same tone as he would have spoken of an election for Middlesex. He had got a Whig theory into his head, and off he went on it all on a wrong tack. The House, however, ought to be cautious not to deal with this question as if Italy were the same as England. The noble Lord had told the House of a good joke made by a Cardinal in conversation with him. [LORD JOHN RUSSELL: I did not say it was in conversation with me.] It was scarcely worth while alluding to then. At best it seemed as though some Cardinal had been amusing himself by mystifying the noble Lord; but now it turned out to be a mere cock-and-bull story—told by somebody to somebody else, nobody knew who—and yet it was by this kind of evidence that the noble Lord attempted to influence the conduct of the House of Commons. If they were to deal with matters of this serious importance on such flimsy statements as this it would be better to take away "the bauble" at once and shut up altogether, or else confine themselves to their own domestic affairs. His chief object, however, in rising was to denounce the violations of international law by which the state of things had been brought about of which the noble Lord spoke with such satisfaction. Did the two noble Lords opposite think the proceedings of the Sardinian Ambassadors compatible with the law of nations? He hoped that during the recess the noble Lord the Member for the City of London, and the noble Lord at the head of the Government, would contrive to hold a consultation, and to write a new treatise on the law of nations:—it would be read with great interest and curiosity by all the jurists and diplomatists in Europe if it contained a successful justification of the proceedings to which he had referred. Such a work, which he hoped might be given to the world, would supersede Grotius, Puffendorff, and all the old writers on international law, for it would be founded upon principles diametrically opposite to those which they had laid down. He thought the noble Member for the City of London might very appropriately write a separate chapter *De jure Legatorum.* If M. d'Azeglio had acted in this country as he had acted in England he might have been tried for high treason. The noble Lord, who was always fond of attacking the Pope, the Grand Duke of Tuscany, and the King of Naples, had made, upon hearsay—for he did not vouch for their accuracy—some extraordinary statements respecting the police of Naples, to which he (Mr. Bowyer) must be excused for attaching very little credit. The noble Lord was particularly fond of denouncing the Government of the Pope as the worst Government in the world. He (Mr. Bowyer) would not enter into any refutation of the calumnies which had been uttered against the Government of the Pope, but he had no hesitation in saying that that Government had been improving for many years past—that it was a good Government, that it was a progressive Government, and he might tell his right hon. Friend the Chancellor of the Exchequer, that the Pope had a surplus revenue. He thought, therefore, the right hon. Gentleman would feel more comfortable with regard to that matter if he were the Minister of the Pope. On a former occasion, after the noble Lord had indulged in one of his tirades against the Government of the Pope, he asked that noble Lord whether he had taken any trouble to ascertain the facts of the case, and whether he had read a very useful and instructive work lately published by his hon. Friend the Member for Dungarvan (Mr. Maguire) which contained a detailed account of the Roman Government. The noble Lord said he had not read the book, but candidly admitted that he ought to have done so: and he (Mr. Bowyer) perfectly agreed with him, for he thought that before attacking the Government of a foreign State the noble Lord ought to have taken the trouble to obtain accurate information on the subject. He ventured to say that the noble Lord, or any hon. Gentleman who chose to ascertain the truth with respect to the Papal Government, would find that the statements which had been put forth impugning its administration were mere calumnies. He implored the noble Lords not to take any part in the Congress, for they would only do mischief by interfering with exceedingly difficult and delicate matters which, with all respect for them, he did not think they understood, and which did not directly or indirectly affect the interests of this country. They would go into that Congress with a sort of philanthropic Whig notions. The noble Lord did not understand how the Presidency of the Pope was to be managed; but he believed it would be very well managed without the noble Lord's giving himself any trouble on the subject. The greatest Italian name was that of the Pope, who was in ancient times the head of the Guelph party, which was the national party. The Popes had always been the supporters of the national party; and Julius II. said to the Ambassador of Venice, "There are only two really Italian things of Italy — one is your ducal cap, and the other is my tiara." The ducal cap is gone, but the tiara still remained, and exercised an influence which, while in a manner it perpetuated the Imperial greatness, spread all over the world with regard, not to temporal, but spiritual things. The Pope was always Italian and the head of Italian interests. No one who had read the literature of Italy would say that Petrarch, or Dante, or any of those great men who adorned that literature, had railed against the Pope. Dante, indeed, had spoken against Rome; but that was when there was an anti-Pope at Rome, and the real Pope was at Avignon. Take the works of Dante, and there was no difficulty in finding in them passages in which he spoke of the authority of the Pope in most enthusiastic terms. What would become of Rome if it lost the Pope? What was Rome but the city of the Pope? If they deprived the Pope of his temporal dominions, and reduced him to the position of a mere pensioner, what would become of Rome? It would be pretty much in the same condition as Oxford without its University, or as Windsor deprived of its Castle. It would be a mere museum of antiquities. The noble Lords no doubt meant to do good to Italy, but they did not understand the Italians, and if they dealt with the affairs of that country according to Whig notions, instead of gaining the blessings, they would bring down upon themselves the curses of the Italian people.

VISCOUNT PALMERSTON: Sir, I refrained from answering at once the question put by the right hon. Gentleman (Mr. Disraeli), because I was unwilling to interpose between the House and the hon. and learned Gentleman who has just spoken, knowing as I do the strong interest which he takes in at least one part of Italy and in one of the Governments which unfortunately rule that country. I was anxious to answer the question put by the right hon. Gentleman—a question which, however, was, I think, unnecessary, because it appeared to me that the statement of my noble Friend was perfectly clear and decisive upon the point to which it referred. The right hon. Gentleman wished to know whether the Powers that were neutral in the war—and especially the British Government—made any proposal of terms of arrangement to the Emperor of Austria which were less favourable to the Austrian Government than those afterwards agreed upon at the peace concluded at Villafranca. My noble Friend stated that, as far as he was aware—and certainly so far as this country was concerned—no proposition was made to the Austrian Government from any of the neutral Powers. The right hon. Gentleman seems, however, to have obtained pretty accurate information from some quarter or other as to what took place. Things were pretty nearly as he imagined, with an exception. There was a period of the war at which the French Ambassador at this Court gave my noble Friend a small bit of paper upon which there were certain terms of arrangement, stated very generally, asking that the British Government, if it approved of them, would transmit them to the Government of Austria, recommending the terms as the basis upon which a treaty of peace might be concluded. My noble Friend, in concert with his colleagues, felt that on the one hand it would be unbecoming on the part of Her Majesty's Government, anxious as we must naturally have been for the cessation of the war, to refuse altogether to be the channel of communication between these Governments, which one of the parties thought might be conducive to a peaceful settlement, and which the other party might or might not accept. We did not think it necessary absolutely to decline to be the channel of such a communication; on the other hand, we felt that the state of the two contending parties in the war was not such as, in our opinion, justified us in interposing by any communication on our own part. We, therefore, took the course which, I think, was the proper one. We said, "We will communicate the proposals to the Austrian Minister; they contain your notions, not ours; but we will not accompany them by any advice or opinion, and we shall distinctly say that it is not a communication from us, but from you." That was what passed; my noble Friend gave the memorandum to the Austrian Minister, telling him that it was not our proposal, but the proposal of the French Government, and that the Austrian Government might deal with it as it saw good; but as to the terms, we expressed no opinion whatever. The right hon. Gentleman (Mr. Disraeli) seems to believe that the proposal came from us, that it was framed on some opinion or recommendation of ours. On this point he is entirely misinformed. The right hon. Gentleman has also reverted to a matter that has more than once been a topic of remark on that side of the House. He says we fell into the same mistake as the Government of 1848. That matter has been repeatedly misrepresented, even after statements that disproved the misrepresentation from papers in possession of the House showing what the transaction really was. Why, Sir, the English Government of 1848 had no control over the Powers then waging war in Italy. A proposal was made to us which we were asked to transmit to the Sardinian Government and the people of Lombardy. That proposal was that Lombardy should be erected into an Austrian Archduchy. This was the proposal when there was not a single Austrian in Lombardy, when the Sardinians had driven out the Austrian troops, and there was a provisional Government in Milan. To make such a proposition was a mockery; and indeed when it was communicated by the Austrian Government to the Government then existing in Milan, it was treated with scorn and derision, and no answer was returned to it. We had no other answer to make than that we were satisfied that the Government of Lombardy in that state of things could not accept the proposal. Baron Hummelauer afterwards suggested another arrangement; he suggested an amendment of the first proposal, which related solely to Lombardy; the second proposal related to Venice. That city was then in the hands of the Venetians, who were defending it against the Austrians, and it was very unlikely that a proposition which excluded Venice was not likely to be satisfactory to the Italian people. But the state of things soon altered; the fortune of war turned in favour of the Austrian armies; Marshal Radetzky, by his victories, regained possession of Lombardy, and of course the former proposals fell to the ground, being no longer capable of being carried into effect. But the decision the English Government took was one founded on the state of things at the time. Now, the right hon. Gentleman says we ought not, under any circumstances, to go into a Conference on the questions now in dispute. He considers that the representative of this country in the Conference would merely have to sign and register what the other Powers have settled. Now, there are two utterly different parts of the arrangement. One consists of the stipulations made with regard to Venetia and Lombardy. Venice is to remain to Austria; Lombardy has been conquered by the French and Sardinian arms, and is ceded to France as a mode of saving the *amour propre* of Austria, but it will be assigned to Sardinia. On these points the two parties to the war are entitled to determine; they are matters arising on the territory that has been the seat of war, and is now held by the parties who were engaged in it. But there will be other conditions of this arrangement, which relate to parts of Italy that the contending armies did not occupy, and with which the two contracting Powers have no right or authority to deal; nor have they the power, of their own authority, to put in execution what they might decide respecting them. My noble Friend has stated that before we took any decision as to whether we would take part in the Conference we waited to see what arrangement would be made between the Austrian, French, and Sardinian Governments. He has also stated the various difficulties that may arise out of that arrangement. France and Austria may say, Italy shall be a confederation; but they have no power to compel the different States to organize themselves into a particular system. They may say that they will favour certain arrangements and do all they can to promote them; but they cannot be carried into effect by a treaty made at Zurich or anywhere else, they must depend upon the will of the States which are to become members of the Confederation. My noble Friend then stated the difficulties that may arise out of the execution of such an arrangement. It is easy to do so, for they really lie on the surface. It is presumed that Austria and Sardinia will both be members of that Confederation. We know the feeling that exists between Austria and Sardinia; what is to be expected if the representatives of those Governments meet at the same table and discuss common matters? The Pope is to be the honorary head of the Confederation; but the King of Sardinia is excommunicated. ["No!"] Yes; not personally, but any person taking possession of any part of the territory of the Pope is declared to be excommunicated, and the Commissioners of the King of Sardinia have exercised authority in the Papal Legations, and it requires no great logic to prove that by this fact the King of Sardinia is excommunicated. At all events, the presence of the Austrian, the Papal, and the Sardinian representatives at the same council board cannot promote an amicable solution of any question that may arise there. Questions may arise of religious toleration, and of the freedom of the press, or, as it may be called, the licence of the press; there may be questions as to the different degrees of political freedom: all these subjects may have to be discussed at that board; and if Austria is a member of the Confederation, with any other State in which free institutions have been established, the latter will not work very harmoniously with Austria, and such States as Naples, Tuscany, and Modena. There is this consideration to be borne in mind, that until we see the removal of such objections it will not be advisable for Her Majesty's Government to enter into the Conference; but if we do see that we can avert any existing evils, and promote the improvement of the people of Italy, it is not only advisable, but it will be the duty of Her Majesty's Government, to use any influence it may be able to exert for moulding these different arrangements so as to further the prosperity of the Italian peninsula. The hon. and learned Gentleman (Mr. Bowyer) has said that the Government of Rome is much maligned; that it is one of the most improving and progressive Governments in existence. But I would just ask him one question—How is it that for many years past unless foreign troops were kept in Rome and in the Roman States to preserve order and put down discontent, the Roman Government would be overthrown in a day? Some hon. Gentlemen do not appear to think so; but the Roman Government itself is of that opinion, and it must know as well as the hon. and learned Gentleman what are its relations with its own subjects. It is not the nature of men to be constantly overthrowing Governments without some reason. Man is said to be a destructive animal; but not to that extent. On the contrary, we find that when a Government on the whole is good, even when partial insurrections take place, the sense of the majority overrules the violence of the minority, and order is preserved. In 1848 this metropolis was threatened with a great political convulsion; but what happened? A hundred thousand of the well-disposed people armed themselves, not with daggers, pistols, and muskets—which are the weapons of other countries—but with honest English bludgeons, and the city was nearly as peaceful on the day of the movement as on the day before, or the day after it. So it would be with Rome if Rome were well governed. But the existence not only of discontent, but of bitter resentment against the Government and everything that belongs to it, is, I say, the most conclusive proof that Rome has not that perfect and model Government which the hon. and learned Gentleman would have us believe, but that, in point of fact, as everybody well knows, it has one of the very worst in the civilized world. It is said that the Roman Government being a priestly and a Catholic Government, it is not fitting that any Protestant Power should interfere to give it advice. But in 1832 that objection did not prevent England, Prussia, and Russia—none of them Roman Catholic—from joining France and Austria in recommending improvements which, if Rome had adopted, I venture to say her Government would have saved itself years of mortification and difficulty; while Italy would have been rescued from much of the misery by which from that time to this she has unhappily been afflicted. I see not why the same course, on a proper occasion presenting itself, should not again be followed; and if the united voice of Europe could be brought to bear upon it, surely so excellent, so progressive a Government, and one so well beloved by its subjects as the hon. and learned Gentleman would have us suppose, might easily be prevailed upon to move a little faster. There is no reason, then, why any opportunity should not be taken advantage of to give good advice even to the Roman Government in regard to the amendment of its institutions. The hon. and learned Gentleman does not believe the statement of my noble Friend respecting the number of people in the Neapolitan States who are under the tyranny and oppression of the police. I can assure the hon. and learned Gentleman that my noble Friend did not state anything which is not founded on good information. That of itself is a proof to what degree these bad Governments render wretched the unfortunate population submitted to their sway. And when it is said that we are the advocates of revolution, I answer that they are the real advocates of revolution who maintain these vicious Governments which exasperate the people, and by making legitimate amelioration hopeless drive into conspiracy and dark intrigue those unhappy men who see no other means of escaping from their calamities. The right hon. Gentleman (Mr. Disraeli) disclaimed the taunt of my noble Friend that he treated Italian happiness and Italian liberty with indifference. Sir, the right hon. Gentleman went further, and treated them with ridicule. He says my noble Friend has always been under the delusion that in Italy there is a great Whig party. Sir, there is a great Whig—a great constitutional party in that country—and that party has year after year made head against the Republican and Mazzinian party, which looks to subversion and convulsion instead of to wholesome improvement. But I tell the right hon. Gentleman that the similitude between England and Italy is greater than he in his airy and jocose vein represented it. There is not only a great Whig party, but a Tory party also in Italy; and that Tory party, having possession of the Government of the country, though in a minority, and being in conflict with the Whigs, has been the cause of much of the troubles we have witnessed. The Whigs are the more numerous body, but they have not yet been able to get a vote of "No confidence" in their opponents passed; and they are still writhing under the miseries entailed on them by the arbitrary and despotic party which governs. Though no Brooks's exists there I should be very glad to see one established. I do not deny, then, the constitutional sympathies which the right hon. Gentleman imputes to us, and I frankly avow that we should be very glad to see in the ascendancy those true friends of Italy who desire to establish in every part of the Peninsula that rational and moderate freedom which is the only solid foundation of happiness. I say, then, we have come to, and can come to, no decision upon the invitation that has been offered to us, until it is known more completely what arrangements are to be made at Zurich—until it is known how far the parties there contracting may deal with matters which they have no authority to settle—how far they may leave open to consideration between themselves and their allies other questions which, though they have no power to dispose of, they are yet entitled to give their advice and opinions upon. But we shall certainly not go into Conference with the view of taking any of those embarrassing engagements which the right hon. Gentleman deprecates. And here I must remark that the course adopted by Gentlemen on that side of the House is not very consistent with that which they adopted when sitting here; because they who are now so averse to a Conference themselves strongly urged a Congress. True, they advocated a Congress before the war, and the Conference now spoken of is to come after the war. But, surely, Conferences and Congresses do generally follow the close of a war; and if it is meritorious to urge their assembling before that event, why it is equally meritorious to enter into them after it, in order to modify arrangements which, if they are left unmodified, are calculated to cause a renewal of hostilities. "But," says the right hon. Gentleman, "for Heaven's sake do not go into a Conference and commit this country to prospective engagements!" Excellent advice; but how was it acted upon by its authors? It will be found from the blue-book that there was a moment when the late Government were prepared to guarantee Sardinia for five long years against any attack from Austria. Now, if ever there was an engagement not embarrassing merely, but impossible for this country fully to perform, it is this engagement which our predecessors so easily and jauntily offered to undertake. Why, if the meditated attack upon Sardinia had come from any quarter over which we could exercise a controlling power, well and good. We might have measured the expense, calculated the damage, set on the other side the advantage, and struck the balance. We might have said, "True, it is an irksome and difficult undertaking, but we think we can fulfil it, and make it we will." But I should like to ask the right hon. Gentleman in what way he would have prevented Austria from attacking Sardinia? Would he have sent an army to Genoa to assist her, and could he have sent one of sufficient magnitude? But he will, perhaps, say this was not an engagement to be taken by England simply, but by England and France. That is to say, we were to have the merit of giving Sardinia the guarantee, while France was to have the burden of furnishing the force which was to give effect to it. The French Government, seeing through such a proposal, naturally did not choose to accede to it, and so the matter was at an end. I mention that to show that when we are admonished above all things to abstain from a Conference by those who so warmly urged a Congress, and when we are warned to avoid entangling engagements by those who were ready to enter into the engagement I have described, the exhortations thus addressed to us need not weigh unduly in determining the conduct which the Government ought to pursue. Sir, our desire is simply this—we wish well to Italy; we think it is a country full of people endowed with every gift of Providence. The hon. and learned Gentleman says its inhabitants are not like ourselves; that we must not treat Italy as we do England; that we must not expect popular opinion to be called forth there as it is here. Unhappily, Sir, Italy is not treated like England; but there is no reason in the nature of things why it should not be—there is no reason in the nature of man why its population should not be capable of enjoying the same civil and political liberty, and of working the same institutions with which fortune has favoured us. And, if the councils of Europe can lay the foundation of such improvements as may elevate Italy to its just position, I hold that the Governments which should enter into communication for such a purpose, and who should succeed in carrying it through, would deserve the applause of all who value the welfare and happiness of mankind.

Mr. H. BAILLIE said, he must beg to remind the noble Lord that every attempt on the part of this country to interfere in the affairs of Italy had not only ended in failure, but had exposed this country to insults from the Powers immediately connected with its affairs. In 1848 we encouraged revolutions in every part of Italy. We encouraged a revolution in Florence, which was put down by the Austrian Government. The result was, that English subjects were insulted in the streets of Florence by Austrian soldiers; an Englishman was cut down there by them; and it became difficult for any English subject to travel in any part of the Austrian dominions. That was the result of our interference in the affairs of Italy at that time. We encouraged a revolution at Rome, which was put down by the French Government. Now we were asked to enter a Congress with those very Governments who in 1848 we found, and who probably we would still find, entertained opinions very different from those we entertained. Supposing, for example, the Congress should come to an agreement as to the Duchy of Parma and the States of Modena and Tuscany, how was it possible that we, a great Protestant State, could come to any agreement with respect to the States of the Church? If we, as we probably should do, recommended a secular Government to be established in the States of the Pope, how could the Governments of the two great Roman Catholic Sovereigns of Austria and France assent to that proposal? In fact, the Sovereign of France had already, if general rumour were true, given a guarantee to the Pope that the temporal powers of the Church should be retained. It was therefore evident that if Her Majesty's Government took any part in a Conference, we should only be subjecting ourselves to mortification, and in the end to discomfiture. He felt persuaded that on reflection these considerations would prevent the Government from embarking in any such undertaking. He thought, indeed, that it would be far better if Her Majesty's Government, instead of directing their attention so much to the affairs of Italy, would direct it to the affairs of their own country, and look a little to the various important matters which now demanded their serious consideration. Take, for instance, the defences of the country, and he would ask Her Majesty's Government whether the reports which had been current for some days, and which had gained a certain consistency—namely, that some undertaking had been entered into with the French Government for a mutual disarmament—were founded on truth? He confessed he was very much surprised a short time a ago to hear his right hon. Friend the Member for Buckinghamshire (Mr. Disraeli) recommend such a course to the Government, because any one acquainted with the system of administration in the two countries must be perfectly well aware that the disarmament of France and the disarmament of England meant two things totally different. Supposing the Emperor of France, having an army of 500,000 men, wished to disarm 100,000, all he had to do was to send orders to the Minister of War to the effect that that number of men should have their *congés.* All these were soldiers who had not served their full time, but only for three or four years, and having obtained their *congés* they retired immediately to their villages, and engaged in agricultural operations. They were no longer in the pay of the State, but they were liable to be called out at a day's notice; and in ten days after an order from the Minister of War, every one of them would have returned to his regiment. Therefore, in point of fact, though there appeared to be a disarmament, really nothing more had taken place than giving the men their *congés* for a certain time. And that which was the case with regard to the army was equally so with respect to the navy of France. Her ships might be put in ordinary, but the men who had received their *congés* were liable to be called out at any moment, and those ships might be turned to account again on a very short notice. Now, the case with us was entirely different. If Her Majesty's Government disarmed, they lost the men perhaps for ever. He would not suppose it possible that our Government could ever have contemplated disarming any portion of our military force, because he clearly showed the House the other day, and it had not been contradicted, that, setting aside the militia, we could not bring into the field more than 30,000 men. He also believed that it could not be in their contemplation to lessen our naval force, and if they did lessen it during the recess, he felt convinced that the English people would resent such a course. He did not gather from the observations of the noble Lord that the Government had come to any definite decision on the subject, and he trusted sincerely that on full consideration they would be induced to remain entirely free from any engagement of that description.

MR. MONCKTON MILNES thought it was important that the House should, especially at the present time, have an opportunity of distinctly expressing its opinion with respect to the great drama which had recently taken place on the Continent. It appeared to him that the late Chancellor of the Exchequer (Mr. Disraeli), who was a member of the Government which sent Lord Cowley to Vienna to transmit messages to the Emperor of the French, and not the opinions of his own Government, should be the last man to find fault with the present

Government for performing a similar act when it tended to the accomplishment of peace. He believed that in so doing the present Government in no way violated the principle of neutrality. As we were now in a new phase of European politics he thought it would be well that we should understand a little more clearly what was meant by the word "neutrality." Was neutrality to mean that England was to be utterly isolated from all foreign affairs —that we were to allow the States of Europe to be disposed of, by peaceful or warlike arrangements, as might seem fit to the foreign Powers, or as the accidents of war might dictate! If it was to be said that England was to abdicate the position she held as one of the first Powers of Europe, he was bound to say that he did not believe that the English people would be prepared to adopt neutrality in that sense. Neutrality need not in any case mean indifference: it need not imply that England was to abdicate her functions as one of the leading Powers of Europe; but the neutrality which the late Government adopted, and which the present Government were loyally content to follow, meant simply that, as regarded the late great conflict, the English people were not convinced that either party was so entirely in the right. or that the general results aimed at were so advantageous to Europe and humanity, as to authorize them to expend in it the money and the blood of England. That should be publicly and authoritatively stated, and he was glad the Ministers had now declared publicly that England might and could interfere on the side of humanity and justice. No doubt the English Government could have nothing to do with the details of the peace just concluded, which depended merely on the will of the belligerent Powers. But if the English Government were called upon to assist in determining how Italy should be established as a great European Power, he was not prepared to say that we ought to shrink from such a duty. There could be no doubt the Emperor of Austria, who was on the throne when the treaty of Vienna was agreed to, regarded at that time the annexation of Lombardy to his dominions as a great misfortune, and that he foresaw the consequences which history had since detailed. It was mainly owing to the persistence of the other Powers that Lombardy then became a part of the Austrian empire; and he believed that the separation of it from Austria, so far from being a cause of weakness to Austria, would render her really a greater, a safer, and a happier Power. The question of the influence of Austria in Italy was, however, a different matter. He admitted that as long as the people of Venetia were discontented with the Austrian Government, the possession by Austria of the great quadrilateral of fortresses would be a source of uneasiness and danger to Italy; but if the Venetian people in connection with that Government were well and patriotically governed, they might imagine that those fortresses, though they belonged to Austria, really belonged to the Italian Confederation. So far, he believed, the Treaty of Villafranca had in it elements both for the future prosperity of Italy and the general peace of Europe. Neither party had retired from the late conflict with full hands; for while the Emperor of the French had been compelled to abandon some part of his design, the Emperor of Austria had been compelled to abandon some part of his empire. A great lesson had thereby been taught the world —that these enormous armies could not realize all their hopes, or bring about all their designs. He was by no means unwilling to believe that the interference of the neutral Powers in the affairs of Italy might give to the Sardinian Government an authority which at present it was very difficult for her to maintain. The success of the proposed Italian Confederation would to a great extent depend upon the authority and power with which Sardinia entered into it. If she entered it entirely alone and unprotected, she might be overridden and almost destroyed; but if the neutral Powers assisted her as they might do—and he trusted she would receive due encouragement and support from England—he thought that they might hope to find, on the basis of the Sardinian Government, institutions of a liberal character established over the greater part of Italy. A more inappropriate analogy than that of the right hon. Gentleman the Member for Buckinghamshire, with respect to a Whig party, could not well be imagined. The constitutional party in Italy, as distinguished from the Liberals of Germany, Russia, or any other part of the world, was essentially aristocratic, comprising not only whatever there was of a middle class, but the whole of the nobility; while, on the other hand, the governing classes consisted almost exclusively of ecclesiastics. We had, therefore, every reason to hope that, even in the present tumultuous and difficult state of things, the liberties of Italy might be secured. The Italian people had all through their history shown a marvellous aptitude for political life. The Italian lived from day to day, and he looked on politics as a practical matter of daily life which he could perfectly and clearly understand—he had no theory which he attempted to realize, and, therefore, he was able to realize a practical problem which in almost all other cases had failed. This peculiarity of the Italian character gave him a fair hope for the Italian future, and that, taking all in all, this Peace of Villafranca might possibly, under the mysterious wisdom of Divine Providence, be so guided as to produce a lasting benefit on that people. He hoped, after what had been said by the noble Lord at the head of the Government, that we should hear no more of the opportunity which was supposed to have occurred some years ago, of establishing Lombardy as an independent kingdom. It must now be distinctly understood, even by the hon. and learned Member for Dublin University, that the proposal made by Prince Schwartzenberg was, not to erect Lombardy into an independent State, but to place it under the government of an Austrian Archduke. It was not the business of that House on such an occasion as the present to decide the question whether Her Majesty's Government should or should not enter on a Conference. It appeared to him to be a matter for the Royal prerogative. It was like a question of peace or war, and the House had no right to dictate on the subject; but it ought to be left solely to the responsibility of Her Majesty's Government. He must say that he congratulated the Government upon the candour with which they had placed this question before the House and the country, for he believed the country desired above all things that we should combine the policy of strict neutrality with a regard to our position as one of the first Powers of the world; and he felt sure the people had no desire to abdicate such a position.

MR. WHITESIDE: Sir, I am desirous, after what has been said, to make some observations on the interesting subject before the House. Within the last few days the Chancellor of the Exchequer delivered a speech, in which he explained the necessity under which he was placed of imposing great burdens on an over-taxed people. I admit that he gave ample reasons for so doing; though it was not a little singular that both by the noble Lord the Member for the City of London and the noble Lord at the head of the Government—speaking in rapid succession—the conclusions of the right hon. Gentleman were practically refuted, because they argued that the danger he had spoken of was visionary, and if it had been visionary we should not have been taxed so severely. The truth is, that the question whether we are to pay much or little does not depend on such matters as the Dovor or Galway contract, but on the strength of our naval and military armaments; and the expense of our naval and military armament depends, again, on our foreign policy. Greece and Rome have been referred to this night. I am not, however, inspired by such reference to the exemplar States of antiquity, and cannot, therefore, share the enthusiasm of the Chancellor of the Exchequer, who is better acquainted than I am with the descendants of Ulysses. We must not yield to enthusiasm on such a question as that in debate in the course of which the noble Lord the Member for London has undertaken to explain the condition in which the foreign policy of the country now stands. My right hon. Friend the Member for Buckinghamshire put a question this evening that has given a turn to the discussion before the House. He asked whether Her Majesty's Government had transmitted a proposition to our Ally, the Emperor of Austria, different from the terms embodied in the articles of the Treaty of Villafranca?—not whether the Ministers had themselves submitted that proposition of their own motion, but whether they had been made a cat's-paw of by some other Power, and had submitted to the Emperor of Austria the contents of a paper not their own, the contents of which are not stated, and the real authors of which have also been left unnamed? The noble Viscount did not tell us from what neutral Power that paper came; but he admitted that my right hon. Friend was substantially accurate in his statement. The fact took place, and therefore it stands confessed that Her Majesty's Ministers assented in a measure to the terms of that paper.

VISCOUNT PALMERSTON: I distinctly stated that we gave no opinion and no advice; and therefore we did not assent to the terms of any paper.

MR. WHITESIDE: I did not say that you gave any opinion; but I say that the very fact of the Ministers of England accepting and transmitting such a document to the Emperor of Austria was enough to lead the Emperor of Austria to infer that that document and its contents had the assent of the English Government. The noble Lord perfectly understood the force and point of my right hon. Friend's observation, because my right hon. Friend stated that that paper proposed that Austria should give up the Venetian territory; and the paper having become known to the Emperor of the French, or having emanated from Paris, he was in a position to say to Austria, You perceive by this paper what your Allies will do for you; you will get from the conqueror of four battles more merciful terms than you will get from them. The Emperor of Austria was likely to be influenced by that paper, and therefore I repeat that the English Minister was used as a cat's-paw by another State. The noble Lord, the First Minister of the Crown has treated another portion of this serious subject in his usual light and trifling manner. When my right hon. Friend said that the Minister had repeated his blunder of 1848, the noble Viscount denied the fact; and said that the charge was utterly unfounded, and one which in future no one would think of repeating. I believe the noble Viscount will never repeat his denial of the charge after the proofs I shall adduce in its support. Let us understand to what point I am now applying my observations. The noble Lord, I assert, for years back, has had a clear policy, that policy being to extirpate the power of Austria from Italy. That policy has been consistently maintained by him. Yet in his recent address to the electors of Tiverton the noble Lord used these words:—"Nobody that I have ever heard of means to wrest from Austria the territories in Venice or in Lombardy which she possesses by virtue of the treaties of 1815." The hon. Gentleman who has just spoken has said—I believe truly—that in the negotiation of those treaties Austria was not desirous to obtain Lombardy; the great Powers of Europe induced Austria to accept Lombardy, in order to keep France out of Italy, and Austria, to preserve the balance of power and the peace of Europe, did not decline the offer. Austria by solemn treaty obtained Lombardy, and she is our ancient and faithful Ally. I admit, in the emphatic words of a distinguished writer on Italy, that the government of Austria in that country was regarded as "the government of the stranger." The same author, Mussimo Azeglio, has said that several of the minor States of Italy were disposed to unite with Austria because of the justice she administered between man and man, which was unknown in some native States. But at the same time hers was the "government of the stranger," and was therefore not popular, and in 1848 that struggle "began" out of which the matter now in dispute arose. My assertion is that terms more favourable to Italy were offered by Austria to the noble Viscount in 1848, and by him rejected, than have been granted now after a vast destruction of life, and after the ascendancy of French influence in Italy has been established. At that time the Austrian Government appeared to be in great difficulty. To sustain my argument on this subject I will cite three authorities—one statesman, one historian, and one Emperor. That statesman is the right hon. Baronet the Member for Carlisle (Sir J. Graham); the historian, Sir Archibald Alison; and the Emperor, the Emperor of the French. I have stated what has been the policy of the noble Viscount, and we shall see clearly whether he has not forgotten what he said and what he did in pursuit of that policy. In 1848 Lord Ponsonby was our Ambassador at Vienna. You will hardly deny his veracity, scarcely dispute his facts. What was the condition of France at that time? There had just occurred one of those revolutions that are considered by some to be so great a blessing to that country. Consider the state of Europe in 1848. General Cavaignac was then possessed of power, and was fighting for the existence of society against the Socialists. The influence of France with reference to Italy at that time was nothing. What was at the same period the condition of Austria? She was then, as I have said, involved in difficulty and pressed hard by her discontented subjects. And what was then the condition of Sardinia? She was looking out for what she could get — she was looking for a pretext upon which to seize her neighbour's property. Lombardy had thrown off the yoke of Austria, and she had got what is called a Provisional Government. In these circumstances a special envoy from Austria, Baron Hummelauer was appointed to this country; but it appears that in April, 1848, there had been sent to the noble Viscount an account of a conversation which Count Ficquelmont had with Lord

Ponsonby. In this statement the Count is represented to have said:—

> "Moreover, I added, my Lord, the fate of Italy is in the hands of England; you are, at present, the sole Power who has influence there; it is the greater because it is single. The easy overthrow of Louis Philippe, the establishment of a republic in France, have produced a real panic, but while admitting your power, which you certainly have no right to complain of our doing, allow me at the same time to assign to you the responsibility of events, at least as regards ourselves."

It is here admitted that in the then juncture of affairs the influence of England in Italy was paramount and exclusive. How it was used we shall see. In the same month Lord Ponsonby thus wrote to the noble Viscount,—

> "I feel no doubt of the sincerity with which this Government has submitted to the necessity created by various circumstances for the concessions it has made, and that it will faithfully perform its engagements to the best of its power. Count Hartig will leave this the day after to-morrow for Italy, where he is going to endeavour to arrange matters amicably if possible. The Count is convinced, I think, of the propriety of aiming at the attainment of that political settlement which I mentioned in my despatch of the 2nd instant. I stated to him the grounds upon which I rest the opinion to which I allude, and the Count fully concurred with what I said. It is true that war has not been declared between the two States, and the mere withdrawal of the diplomatic agents from the two Courts does not necessarily imply its actual existence. What the Piedmontese have done is an intervention in the Austrian territories, for the purpose of giving support to rebels against the Austrian legal authority. It is in contradiction to the recognized principle of non-intervention, for there is no act even asserted by the Piedmontese to have been done by the Austrians injurious to any Piedmontese interests, or dangerous to the Sardinian King's rights or territories. Vague reports, circulated by the Sardinians themselves, of designs entertained by the Austrians to attack Piedmont, which reports have proved to be unfounded, are not justifications for real attacks upon a neighbour."

We have here the opinion expressed by Lord Ponsonby as to the origin and object of the war. On a question of this kind it is necessary to be precise in the proof of the assertion that the noble Viscount was offered in 1848 the absolute independence of Lombardy, which he rashly refused. Accordingly I find that Lord Ponsonby, in the most distinct manner, informed the noble Lord of the propositions of Austria to the effect stated, while at the same time he attests the sincerity of Austria and approves in the clearest terms of the settlement offered. Lord Ponsonby wrote on the 9th of June, 1848, to the noble Lord as follows:—

> "At a late hour this afternoon I had the honour of a conversation with his Imperial Highness Archduke John, and I have only time to repeat to your Lordship very briefly the main points. His Imperial Highness said that the Lombards might have the absolute disposal of their own fate; they might take Charles Albert for their king, or any other person, or do what they liked as to their Government. I referred to a well-known phrase and said, 'Your Imperial Highness, then, will accept peace *quand même?*—to which he replied, 'Yes, so far as Lombardy is concerned; but we must keep Venice and the line of the Adige; it is necessary in order to protect Trieste, which is a key to our Illyrian provinces.' I have reason to believe that no Minister will be able to control the action of the Archduke in favour of peace. The Archduke authorizes me to acquaint your Lordship with his opinion and views respecting peace, and I presume that what I have stated may afford grounds for preliminary steps, if it should be your Lordship's pleasure to forward a pacification. I am unwilling to intrude my opinion at any time upon any subject, but I will say that I think the Archduke is right both in leaving the Lombards free to take their own measures, and in the desire to retain the territories within the line of the Adige, for I believe that a cession of those would lead to a renewal of the contest in that part of Italy where it is so desirable to establish peace on some solid basis. The Lombards, by the retreat of the Austrians from all interference, will be at liberty to complete the union of the Duchies of Parma and Modena with the Milanese. All pretence for jealousy of Austrian aggression will cease, because Austria will have no interest to cause it; and there will not be, I am inclined to think, any strong feeling in the Venetian kingdom against the proposed arrangement."

On the next day Lord Ponsonby wrote to the noble Viscount this short but all-important despatch:—

> "I neglected yesterday to say that, supposing Venice should again be under the Austrian Crown, that kingdom would enjoy a free constitution. According to Lord Ponsonby, therefore, Austria offered the independence of Lombardy and a free constitution for Venice.

Here we have the testimony of Lord Ponsonby that Austria would yield, under the guarantee of England, the independence of Lombardy—a boundary defined by the line of the Adige with a free constitution for Venice—terms vastly superior to the Treaty of Villafranca. The noble Viscount forgets the whole of this transaction, but it has been recorded by the historian. It is impossible for him to escape now from the effect of his own conduct then. He has stated to-day that it was Baron Hummelauer who proposed that Lombardy should remain under the viceroyalty of the Archduke John; but after what I have read coming from the lips of that same member of the Imperial family of Austria, it would be surprising that such proposal should have been the only or the ultimate offer made by Baron Hummelauer. The Baron in May, 1848, came to this country, and had an interview with the noble Viscount. I cannot state what passed at that interview, but the first proposition of the Envoy was not accepted. I have no doubt that the noble Viscount required Baron Hummelauer to put into writing his final proposal for the purpose of its being considered by the noble Viscount, and submitted by him to the Cabinet of which he was a distinguished Member. Baron Hummelauer accordingly, being fully authorized, states in writing on the 24th of May, what he proposes. And what did Baron Hummelauer on the part of Austria then offer? He offered on the 24th of May that Lombardy should be independent; but he declared that Austria should retain Venice in consequence of the connection between that city and the security of Trieste. He stated, however, at the same time that Venice should have a free constitution under an Austrian Archduke, with a national army, a local administration, and a deputy to be chosen by the Venetians themselves, who should represent their views and wishes at Vienna. The words are—

> "Lombardy would cease to belong to Austria, and would be free either to remain independent, or to unite herself to any other Italian State she might choose."

There can be no mistake about the proposal, for Baron Hummelauer makes exactly the same proposal that Lord Ponsonby communicated to the noble Viscount. The noble Viscount and the Cabinet took from the 24th May to consider that important proposal until the 3rd of June. That date is important with reference to the conduct of the Provisional Government in Milan. On the 3rd of June the noble Viscount wrote an elaborate despatch, in which he said that the offer made with respect to Lombardy was entirely satisfactory, but that as Venice was in the hands of the people who had shaken off the authority of Austria, it was not probable that that part of the proposition which related to Venice would be acceptable to the Italians, and the noble Viscount added Her Majesty's Government would be unwilling to enter upon a negotiation which in their opinion offered no prospect of success, and to make a proposal which they felt confident beforehand that one of the parties would positively refuse to accept. Baron Hummelauer replied that he had no authority to treat for the cession of Venice; but with respect to the independence of Lombardy there was no dispute between the noble Lord and the Austrian Envoy. The very document written by the noble Viscount in reply to the Envoy decides the whole question against him. It was true that the Provisional Government at Milan had refused to accept the Austrian offer made to them; but it was important to observe that their refusal had taken place on the 18th of June, after they had had time to receive a communication making known to them the contents of the noble Viscount's State paper containing his own refusal of the 3rd of the same month; and it should also be remembered that they had taken precisely the same ground in this refusal which had been taken by the noble Lord. But what of Sardinia? There was a correspondence which threw a curious light upon that point, but which the noble Viscount seemed also to have forgotten. Mr. Abercromby was at the time our Minister in Sardinia, and he wrote a despatch to the noble Viscount in which he stated that a person had called upon him with a letter from the King. That letter related to the desire of the King to obtain peace on the terms already proposed: the date of it, July 10, 1848, made, it might be supposed, somewhat in favour of the noble Viscount. But it is important to remember that at that time the battle had not been fought which changed the whole aspect of the controversy, for the noble Viscount always kept his eye upon the one point, whether our faithful Ally was likely to be beaten or not. The statement which the letter contains, coming from the King of Sardinia himself, is to the following effect:—

> "Turin, July 10, 1849.
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> "A few days ago I had an opportunity of conversing with a person who fully possesses the confidence of his Sardinian Majesty, and who has been of late in constant communication with him upon the subject of the war now carrying on in Lombardy. I took occasion, in the course of the conversation, to speak freely and openly on the subject of the present position of affairs, as connected with this war of Italian independence and the formation of the kingdom of Upper Italy. I remarked that it was our wish to see a strong and a united country established in Upper Italy, and that, in accordance with that principle, Her Majesty's Government had recently framed their answer to the proposals made by the Cabinet of Vienna with regard to the mediation of Great Britain; but I added that it appeared to me, as matters at present stood, that His Sardinian Majesty would do well calmly and scrupulously to consider His position in all its bearings and in all its relations, as they might affect the interests of

his country and of his family, whenever he might be called upon to decide upon the question of negotiation for peace. I added, however, in the most distinct and explicit terms that I could employ, that I did not presume to offer any opinion whatever upon the subject of the terms upon which peace might be advantageously accepted, for that was a question which it was for His Sardinian Majesty and his Government to decide. I renewed on this occasion the assurances I had repeatedly given to the Marquis Pareto, of the sincere desire of Her Majesty's Government to assist, as far as they were able, the interests and welfare of Sardinia; and I repeated also the same argument I had previously urged—that to enable Her Majesty's Government to do so, it was necessary that they should be made acquainted with His Sardinian Majesty's real wishes and intentions. I at the same time expressed my readiness to convey to your Lordship any communications which His Sardinian Majesty might desire to make to you.

This morning was communicated to me (Mr. Abercromby) a letter written entirely by His Sardinian Majesty. In that letter, dated Roverbella, 7th instant, His Sardinian Majesty declares that he would accept propositions which gave the Adige for the eastern frontier of this country, and which recognized the annexation to it of Lombardy and the Duchies of Parma and Modena. His Sardinian Majesty then proceeds to observe, that should the Austrian Government be disposed to make direct to him any propositions for peace based upon such territorial arrangements as above, or should they be proposed to him by Her Majesty's Government, as mediators, or should they be proposed through me at the recommendation of Her Majesty's Government, he would not hesitate to accept of them, and His Sardinian Majesty desires that those opinions should be confidentially communicated to me. His Sardinian Majesty terminated this letter which I have read by observing that sufficient reasons might be given to prove to the Chambers and to the country the wisdom of accepting a peace which, considering the relative powers of Sardinia and of Austria, ought justly to be considered as being both honourable and glorious for Sardinia."

There is in that communication from the King of Sardinia not one word about Venice, and it is idle to attempt to mystify one of the plainest matters of fact with which an historian or a statesman ever had to deal—that Lombardy and the line of the Adige would have satisfied Sardinia, that Austria was ready to give up Lombardy, and that the noble Viscount thought proper to refuse the concession, which according to the King would have ended the dispute in a manner honourable and glorious for Sardinia. It is also clear that Mr. Abercrombie had got from the noble Viscount a copy of the proposal made by Baron Hummelauer, in order to act upon the information it afforded, and by thus dealing with that proposal the noble Viscount showed his sense of its importance. One would suppose that a communication such as that just read, coming from the King of Sardinia, would have received some reply; but the fact was, that no answer at all had been returned to it. This graphic and characteristic letter was, however, next in point of date, addressed by the noble Viscount to Mr. Abercrombie:—

"Foreign-office, July 28, 1848.

"Sir,—I have to instruct you to send Lieutenant Campbell, or any other person competent to obtain information, to the army of King Charles Albert, to ascertain as far as he can, and to report upon, its present positions, operations, efficiency, numbers, and prospects.

"You will obtain from the Government of Turin the necessary passport and permission for the person whom you may employ. That person will return to Turin after the execution of his commission. A messenger will be sent to you in a few days to enable you to send back his report to England. "I am, &c.,
(Signed) "PALMERSTON."

The meaning of this significant epistle, silent on the peace proposition, as the House cannot fail to perceive, is, Let me know by means of this officer whether Sardinia has any chance of beating Austria. If she has, notwithstanding that Austria is our faithful Ally and is entitled by the treaties of 1815 to her possessions in Italy, you may depend upon it I will not fail to extort from her in the hour of her distress that which she will not yield until she is vanquished. But this is not all. I find in a memorandum prepared by the noble Viscount of a conversation held by the noble Viscount with Count Revel, the Sardinian Ambassador in London, a few days before the decisive battle, which changed the tone of the correspondence altogether, the following passage:—

"Foreign-office, August 5, 1848.

"I had, a few days ago, a conversation with Count Revel on the affairs of Northern Italy, in which I told him that I had not then received any recent reports from the seat of war, but according to the last reports which had reached me, it did not appear that any essential advantage had been gained by either side; that Sardinia might possibly succeed in taking Mantua, but that she might find it a long and difficult task; that up to that time she had been successful, because the Austrians had continually acted on the defensive, but that the Austrian forces were always formidable, and reinforcements were then arriving and were expected to arrive. I also told Count Revel that Her Majesty's Minister at Turin had informed me that he had at one time had reason to believe that the Sardinian Government would have been disposed to negotiate on the basis of the line of the Adige, but that he had found that subsequent events had led them not to be willing to be satisfied with less than the line of the Piave, and I added that Sardinia was then certainly in a good position; and I expressed a wish that should the war continue she might prove victorious. I said that the basis which I thought might be proposed was the line of the Piave, Sardinia charging herself with a just proportion of the debt of the empire."

There is no evidence whatever that Mr. Abercrombie stated to the noble Viscount that Sardinia demanded, as he states, the line of the Piave, that is the unsupported assertion of the noble Viscount—the line of the Piave would have given Venice to Sardinia—but I have already shown that the King of Sardinia would have deemed a settlement on the basis of the line of the Adige 'glorious.' And now he has by the articles of the treaty of Villafranca got neither—the line of the Piave, nor of the Adige—but of the Mincio—less than he might have got peacefully ten years ago under the guarantee of England. I have stated that I would appeal in support of the views which I am submitting to the House to a statesman, an historian, and an Emperor. The statesman is the right hon. Gentleman the Member for Carlisle, who, in the course of a speech delivered in this House condemnatory of the policy pursued by the noble Viscount with respect to Italy, said:—

> "It is impossible to say what has been the effect of that act [the refusal to accept the proposal of Austria], of the noble Viscount. My belief is that the insurrection of Hungary was the consequence, and what I regret as much as any man, the intervention of Russia, the interference of that country to crush the Hungarian insurrection having thus been rendered necessary."

The speech of the right hon. Gentleman on that occasion was not so much an invective as a cold, severe, bitter piece of logic. But he is not alone in the opinion which he entertains of the noble Lord's Italian policy. Two historians have written narratives of the events in Italy in 1848. One of them (Sir Archibald Alison), whose works are very much read, pushed the case against the noble Viscount even further than the right hon. Baronet the Member for Carlisle. He says the noble Lord's policy—

> "Led the Italian Liberals to reject all terms of accommodation, and thus needlessly prolonged the war under circumstances evidently hopeless; it weakened the influence and damaged the character of England, by spreading the belief that she lacked the means, or wanted the courage, openly to support a cause which she had secretly promoted. Still more disastrous were the effects of this policy upon the general balance of power in Europe, for it led to the occupation of Rome by the French, and division of the Italian Peninsula, in respect of influence, between them and the Austrians, and by proving to Austria that she could not rely on the support of Great Britain, it threw her into the arms of Russia, induced the Muscovite intervention in Hungary, and brought about that vast increase of the Czar's influence in the East, which led him to invade Turkey in 1854, and which was only checked by the blood poured out at the Alma, Inkerman, and Sebastopol."

Mr. Whiteside

He goes on to add,—

> "Nothing was ever more disastrous than this policy to Italy and the world. The general summary of Lord Palmerston's conduct during the whole of the critical period which followed the Italian revolution cannot be regarded by any impartial observer with approbation."

Such are the opinions of Sir Archibald Alison; but there is a still greater authority than either of these to which I have referred, and one, too, who must be supposed to be friendly to the noble Viscount —I mean the Emperor of the French. Painters and artists have been subjected to penalties for disputing the critical acumen of Princes; but the noble Viscount has no occasion to find fault with the criticism of the French Emperor in the present instance, for it contains an excellent exposition of the policy which he adopted in regard to Italy. In the pamphlet entitled *Napoleon III. and Italy*, which is believed was written by or under the dictation of the Emperor of the French, he states that in 1848 France was by political events excluded from the concerns of Italy; that the Spanish marriages had alienated England from France; that when the revolutionary element prevailed the authority of France was annihilated in Italy, and that then England stepped in to assume her place. He says that the policy of the noble Lord is his policy—namely, to put an end to the domination of Austria in Italy, and to establish not the revolutionary element, which the Emperor of the French deprecates beyond measure, but the national element. The Prince Napoleon who spoke at Leghorn talked of effecting the unity of the Latin race, a phrase which looks like political fatalism. I find that the Imperial writer says:—

> "England decided in favour of the national element. France was isolated. Lord Minto fulfilled the mission with which he was charged by Lord Palmerston with an ardour which went beyond the mark, by exciting impatience and delusions where, above all, were necessary moderation and a spirit of firmness. Our influence was overthrown on the other side of the Alps. Italy no longer believed in France. It was England to whom Italy gave all her confidence. It must be admitted that this confidence was not deceived. England did not hesitate to declare against Austrian domination. Her policy is summed up in an important despatch of Lord Palmerston, dated the 29th of October, 1848."

That is a mistake. It is dated the 9th of October, 1848. Then follows a passage from the noble Viscount's despatch to Lord Ponsonby, thus given,—

> "It would certainly be more prudent on the part of the Austrian Government to free the populations of Italy from what they will always consider a yoke, and Lord Palmerston thinks that yoke cannot be retained except by force, and that foreign aid will some day be implored and granted."

That is exactly what occurred, and the Emperor of the French has done everything in Italy exactly as it is pointed out in this pamphlet he would do. The writer of the pamphlet quotes the noble Viscount's words, that even though the war should become European, there was no reason to believe that the final result would leave Austria in possession of any territory beyond the Alps, and asks, Is it possible to isolate more completely Austria by raising between her and Europe a universal sentiment of the injustice of her pretensions? These are, writes the Imperial author, the principles of the noble Viscount, and the acts of England, he argues, corresponded with these principles until the visit to M. Hummerlauer, which the writer now describes:—

> "There was a moment of promise for Italian nationality. Austria proposed the independence of Lombardy, and a separate Government for Venetia, on the sole condition of her suzerainty. These proposals were carried directly to London. They were only known in France. It was then believed in London that Italy would obtain better terms, and the English Cabinet did not use its great and legitimate authority to prevent the refusal being made by the Provisional Government of Milan."

A conclusive censure of the noble Viscount's policy, with a truthful statement of the facts. This passage showed plainly that the writer knew the proposition was made, as I have asserted, by Austria, and that the legitimate authority of England should then have settled the whole Italian question. The Emperor insists he has the assent of England—the assent of the noble Viscount to the expulsion of Austria from the whole of her Italian dominions, Venice included. The noble Lord, writes the Frenchman, is a politic statesman, a wise statesman, in his anxiety to get rid of Austrian rule; but the writer asks this question, "How is it to be accomplished?" The noble Viscount says by foreign aid. The writer puts this further question, "What will be the result of foreign aid? Are we to have one Government in Italy? He answers that is impossible; it is only to be ruled by a federal Government—several States united in one confederation, influenced by one object to defend Italy from foreign aggression, each pursuing its own happiness and endeavouring to work out its own prosperity. That is the proposition of the Imperial pamphlet, and, naturally enough, the Emperor of the French proceeds to act precisely upon it. He is manifestly the foreign Power whose aid is to be sought and granted. He proceeds to Italy. He wins battles. His troops are victorious, and then he makes peace not on the terms of the pamphlet as to the territory to be given up by Austria, but on the principle of a confederation. That peace is before us, and practically, the question now is, what are we to do with the noble Viscount; what chance have we of peace if he intermeddles? In reference to the policy we have been discussing, I commend the singleness of purpose with which he proposed to get rid of Austria. He doubted whether Austria could hold one inch of Italian territory, such was his opinion of her military power. He has been disappointed; and now that there is the French peace the question is, What is to be done with that peace? I judge the noble Lord not unfairly, but honestly and candidly. I give him credit for consistency in wishing to liberate Italy, to expel Austria, and to subvert Pope and Duke, King and Emperor, in pursuit of that great object—the independence of Italy. I only impeach his judgment which misled him to refuse establishing ten years ago a great constitutional State in Italy—the very existence of which, under the guarantee of England, would have been attended with the best results in all parts of Italy, and would have ensured the exclusion of French interference and the peace of Europe. To-night he has done all he could to throw ridicule on the unfortunate Pope; he has shown his feeling towards his Holiness, and I think the Pope will be prudent in not entering into any Conference of which the noble Viscount is a member. The noble Lord the Member for the City of London has been more cautious, but no doubt to the same policy he would give his efficient support. It is very true that the Pope's is not a good government. I do not admire that species of government myself. But the question has been put by the hon. Member for Dundalk, Would you have any city of Rome but for the Popes? It was a mass of rubbish. The Popes restored the aqueducts and many of the monuments of Rome. When the empire and the aristocracy were transferred to Constantinople there would have been an end to the city of Rome, and, if we are to believe Ranke, the Popes made Rome an inhabitable city. These noble Lords seem prepared in a moment to overthrow the Pope's temporal power, and I suppose would not be displeased if his spiritual power went with the temporal. I would ask this question—If you dispose of the Pope suddenly, have you any substitute ready for that which you demolish? The noble Lord the Member for London said he approved of the first part of the treaty of Villafranca; he was willing so far that Lombardy should unite its fortunes to Sardinia; he should rejoice if a powerful and free State were established in Central Italy; he only regretted that eminent statesmen should have condemned the manner and means in which Sardinia has acquired her gains. But the noble Lord proceeded to say that the remainder of the treaty is full of difficulties or impossibilities. So, as I understand it, articles of a treaty are signed between two great Powers, who have fought a bloody fight, and now, though I doubt the charitable supposition, are infected with the humane desire of stopping the effusion of blood; and the noble Lord is determined they shall not make peace, because, if his views are carried out, the treaty can never be brought to a conclusion; but he is not good enough to inform us what is to be the alternative. The noble Lord approves the first part of the treaty, but disapproves all the rest. He is willing, as we understand him, to go into a Congress with the view of disputing all that has been agreed upon by these two Emperors; and then, I presume, the war of independence will re-commence. ["No."] I say yes. I contend that if you set aside the treaty you cannot be sure what will happen—whether you will have any other, or whether you will have any peace whatever. When the noble Lord disapproves so much, I think he would show himself to be the most unwise Minister which England ever possessed if he went into a Congress for the purpose of discussing a treaty which he has so unequivocally condemned. The noble Viscount the Member for Tiverton said such a thing as a federal union of Italy was impossible. Then the whole treaty is an impossibility, and why do you meddle with it? Why complicate England with the question? Why interfere in the terms which may, according to your argument, be a hollow truce, when you would not interfere in the preceding war? If public opinion in this country has not approved the war, it has not approved the peace. The Pope will be for the supremacy of his Church, the Sardinian Government for toleration. There will therefore, it is said, be a dispute, and nothing can come of the Confederation. There never was a greater mistake. Switzerland may seem to be an instance of a confederation of a similar kind. Switzerland has been described by Lord Bacon to be held together by the bond of utility. It is a federation for purposes of defence and unity; but the federal body does not meddle with the government of particular States. You find there Roman Catholic States, and Protestant States, such as Lucerne and Berne, and yet they are combined and united together for defence of their common independence. Notwithstanding the differences of religious opinion, they still subsist and maintain their federal union, and they are strong by their union in the midst of the greatest Powers in Europe. Therefore the argument against the possibility of a Confederation on the grounds assigned fails. The speech of the noble Viscount is nothing but ridicule of the whole plan. I cannot bring myself to believe that the opinion of the House will approve of the noble Lord's entering into a Congress, especially as it appears to be a fact that they have sent a paper to Austria demanding that Venice shall be given up to Sardinia. Judging from that fact, and the opinions they have expressed, they are opposed to the terms of the treaty which the belligerents have made, and if they succeed in setting it aside every lover of peace and humanity will ask what they will gain in its place? You have spoken of Lord Malmesbury's willingness to go to a Congress. I have looked over his proposals for a Congress, but that Congress was a very different matter. Lord Malmesbury was a party to all the negotiations out of which the demand for a Congress sprang. It was to save the shedding of blood, to prevent a war, that Lord Malmesbury assented to a Congress, but he defined with precision what ought to be the objects of that Congress. Lord Malmesbury's letter to the Duke de Malakhoff was as follows:—

"Foreign Office, March 19.

"My dear Marshal.—The Cabinet has just risen. We accept the Congress in a neutral town, but we prefer a Conference, it being understood that no question shall be raised respecting the territorial possessions of Austria in Italy, but that the discussions shall be confined to four points namely, evacuation, reform, security of Sardinia against Austrian attacks, substitution of a plan for the internal security of the small States, in place of the treaties with Austria of 1847.

"Yours ever, "MALMESBURY."

This paper—so sensibly, so judiciously, so shortly drawn—clearly specified the subjects of the inquiry. Lord Malmesbury's was an assent to the proposition of another party for the avowed purpose of preventing war, and preserving and protecting the rights of all. That was a very different affair. The noble Lords have made allusion to the protocols of the Congress of Paris of 1856. I have looked over those protocols, and I do not think that the Chancellor of the Exchequer would be very hopeful of a Congress having regard to that of 1856. I had once the good fortune to suggest a topic that the right hon. Gentleman took up with a power and a vigour that I have never seen exceeded. No one denounced these protocols of 1856 with more success than the right hon. Gentleman. He said that they trenched upon topics with which they had no business to intermeddle; that they pronounced upon the rights of independent nations; that they complicated the affairs of Europe. And the right hon. Gentleman proved to my satisfaction that Lord Clarendon did deal with Belgium and the freedom of the press in Belgium in an unjustifiable and reprehensible manner, in consenting at that Conference that the free press of Belgium should be put down to accommodate France. Did you do anything by your protocols and your Congress? The Emperor in his pamphlet said that the Congress had failed to settle the affairs of Italy. The parties to that Conference agreed that in future none of the parties to the treaty should go to war without the intervention of a friendly Power being first tried. That was the conclusion they came to. And then the very party who agreed to that Protocol went to war without the friendly intervention of any Power and against the remonstrances of a principal party to that Congress. Therefore, if you look to the Congress of 1856, or to the history of Congresses from the Peace of Ryswick downwards, there is nothing to encourage the noble Viscount to enter into that in which he so much delights—a diplomatic correspondence on the terms of a treaty which he acknowledges he entirely disapproves. No one has more sarcastically described the ridiculons Congress of Ryswick than Lord Macaulay, who writes it was the Ambassadors who made war, and the Generals who made peace. After having heard the noble Lord and the noble Viscount make their explanations, and considering what has taken place in that distracted country, Italy, I decidedly say that, as we were no party to a bloody war, so it would be wise, expedient, and politic to leave those who made war to make peace. They will then be responsible for the terms of that peace, and England will be free to take that course which her dignity and her sense of justice may warrant. She will then be clear from all those complications that have so frequently ensued from a policy unwisely and imprudently engaged in.

MR. DRUMMOND: I do not rise to prolong this debate by any opinions of my own, or by reinforcing the arguments which have been used by others. But I think that scrimp justice has been done to the kingdom of Sardinia, and I think that this debate has not gone to the root of the question; and I wish, therefore, to refer to a few facts to enable this House to come to a right conclusion. It is very well known that Sardinia is the only country which has attained constitutional government without either revolution or carnage; and I think that such a country ought in this House—where we profess to be such admirers of constitutional government, and where we know something of the failures which have attended the attempts to attain it in France and Hungary and other places—we ought to have some leanings towards the side of Sardinia, and not show so much anxiety to find fault with the conduct of statesmen who are unused to the difficulties of the position they hold. It is essential to the establishment of freedom that the ecclesiastical power should be subjected to the civil. Without that it is a delusion to talk of liberty—liberty is a sham. You can have no liberty while you are the slaves of the priest. There are those in this House who remember, as I do, the return of Louis XVIII. to France, where he found a priest who had been convicted of the crime of cutting his mistress into twenty pieces. [*A laugh.*] Oh, yes! I dare say it is a very good joke. But I know this, that with all the power he possessed, he was preventedfor several years—seven or eight, I think it was—before he dared to execute righteous judgment on that priest. Now, no sooner had the Government of Sardinia put the priestly under the civil power—that is to say, made the priests amenable to the laws in the same way as civilians—than every member of the Assembly who voted for the Siccardi Law was excommunicated, and is excommunicated to the present day. Salvi Rossi, the author of that law, died, in consequence, without having received the sacraments of the Church; and however lightly the members of a Protestant Church may treat these things, they alone who are Roman Catholics, or who have lived long in Roman Catholic countries, can be aware of the enormous importance attached to them. About the same time the Jesuit confessor of the mother of the present Emperor of Austria got about him at a time when he was slightly wounded, and made him vow that if he recovered he would restore to the Church her rights in Austria. Mark the words. They were false words used intentionally—false words conveying a lie. A concordat was concluded—a con-concordat which gave to the Chuch in Austria powers which in no part of Germany had she ever possessed before, and put Austria in complete subjection to the Council of Trent. By this concordat the whole youth of the kingdom are placed exclusively under the control of the Jesuit schools. No Protestant of Bohemia or Hungary, or any of the Danubian provinces, can be received into the civil or military service of the empire without a certificate from one of the Jesuit schools; and of course the Protestants will not send their children to those schools. The Austrian priests in Lombardy fomented the rebellion of the priests in Sardinia; the Pope backed them both; and it would have been utterly impossible for the country to remain free unless some steps had been taken to control their power. The King therefore asked the succour of France, and it was granted. But it was no mere question of territory. In 1848, and since that time, the Pope, that is to say, the ecclesiastical power, has put forth its influence throughout Europe in a way that it has not dared to do since the French Revolution. There is not, I believe, a single state in Europe where they have not done so. Do not suppose I find fault with the Pope for his conduct in this matter. I say that the declaration he made the other day was an honourable and a manly declaration—that he would die rather than forego the rights of his Church. But I say that those rights are incompatible with the freedom of mankind. At the time the Bishop of Mayence was exciting all the priests in Baden to revolt, the Grand Duke was placed in a most embarrassing position, for he was governing for his elder brother, who was imbecile. In fact, so difficult was his position, that he had been obliged to ask the Pope himself to interfere. And there the matter rests. In Prussia the priests claim the right of searching every house in the Rhenish provinces to see if any books are there which have been put into the "Index," and to ascertain what newspapers are read; in fact, the priests exercise there a self-originating police. I might quote many similar examples, but I know that such details are necessarily tedious. What have they done in France, mark you? You talk here of the freedom of the press. Whatever a newspaper says here, the editor alone is responsible for; but when the Emperor prosecuted Montalembert the other day for pronouncing a panegyric on England, he took care to let all the newspaper writers, who continually abused England, go free. Does not that show, that while he encourages the one he wishes to repress the other? The *Univers* has declared, over and over again, that the existence of Protestant England is incompatible with the happiness of the human race, and points it out as a glorious act, and as the destiny of France, to blot England out of existence, as Carthage was blotted out before. But, while this is allowed to the Catholics, M. Coquerel, a Protestant clergyman very well known in this country, and formerly a member of the Legislative Chamber, has been warned, and forbidden to say anything in his sermons that is offensive to Popery. At La Sarre and other places the sale of the Scriptures has been forbidden, and the persons selling them have been put in prison—and why? Because it is said that Holy Scripture is opposed to the religion of the majority. [Mr. BOWYER: No, no.] Now, you had better be cautious. Does the hon. Member forget how many bulls have been put forth prohibiting the circulation of the Scriptures? He had better be on his guard, for I have got the documents here. Did the hon. Member never read the encyclical letter of the Pope to the Bishop of Poland, in which it is said it is well known that at all times Holy Church has held it to be infinitely perilous for laymen to read the Holy Scriptures? [Mr. BOWYER: No, no.] I do request the favour of the House to allow me to read the passage; for as the matter is now put, either I have been telling you a falsehood or somebody else has. The Pope's letter to the Bishop runs thus:—

"It is unnecessary to remind you how repeatedly the Church, by her Roman pontiffs, has forbidden her children to read the Bible in any vulgar tongue." [Mr. BOWYER: There is something else.] Yes—there is something else! "Pope Clement VIII. has moreover declared that no Bishop whatever is at liberty to permit Bibles of the above description to be kept or read—" [Mr. BOWYER: Of the above description.] That is, "in any vulgar tongue"—in English, for instance. Why, Sir, the fact is notorious. Outside of this House there is scarcely a man who will be found to contradict it. Then there is child stealing. We have all heard of the Mortara case. Child stealing, Sir, is going on everywhere. It is practised a little even among ourselves. At Maubeuge the Protestant Church has been suppressed, and there has been a great deal more of the same sort of thing that I might cite. What I have attempted to show you is, that the power of the Pope is going on at a greater rate than ever it was, and that it is incompatible with freedom. Do not you talk of wishing for liberty in Italy while you continue the power of the Pope. It is downright nonsense; you cannot do any such thing. But then, I say to you that England, as a Protestant country, cannot meddle to any good purpose. If the Roman Catholic laity are to be emancipated from ecclesiastical power, they must do it for themselves. Whatever we say or do will be seen under so much prejudice, that it will be rejected though they were the maxims of Wisdom herself. Now, this I say, taking a broad and general view of the question, that this Protestant country ought, as an essential consideration, to keep out of it. It can do no possible good. I know that there are fidgets on all subjects—private fidgets and public fidgets, family fidgets and political fidgets, and there is a great tendency on the part of many people to do what the sailors call "shoving the oar where there is no rowlock." I think it would be a dangerous thing for this country to meddle in the settlement of a question essentially religious, with which we can have no legitimate concern, which must produce irritation, in which the voice of the country can never be fairly listened to, and which furnishes an additional reason—not that I would argue that the Government of the country should be tied down by any Resolution of this House—why it would not be a wise or a prudent policy for us to mix ourselves up in any way in this matter.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I agree with my hon. Friend who hast just sat down, that it is impossible to hope that the present debate, which has arisen incidentally upon a statement made by my noble Friend (Lord J. Russell) can exhaust all those subjects of varied interest which it naturally suggests; but I am glad that my hon. Friend has borne his testimony upon a subject which, after the speech of the hon. and learned Member for Dundalk (Mr. Bowyer), really needed it. I mean that he has reminded the House how much, in one sense at least, we owe to Sardinia. I do not now speak of the foreign policy of Sardinia; but I do say that with respect to the whole of her internal government, my hon. Friend has not said a word too much. She has been placed in a position of enormous difficulty. She has had upon the one hand the principle of absolutism, and upon the other, the principle of revolution; she has had upon the one hand, in matters ecclesiastical, the principle of the absolute dominion of the Pope; she has had, on the other, the principle of irreligion; and between these opposing evils, she has steered her course with a sagacity and a success that establishes for her a claim upon the gratitude of every lover of order and freedom in the world. I rise, however, chiefly for the purpose of following the speech of the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside), because he founded his imputations or his unfavourable presumptions against the conduct which the present Government is likely to pursue at this juncture upon historical references. Not for the first, nor, I think, for the second time, the right hon. Gentleman went back to the history of the year 1848. He went into many particulars, referred to dates, quoted documents, and dwelt at great length upon his case; and, as I thought, he appeared to prove it to the entire satisfaction of those who sit behind him. The cheers which greeted him were, I think, ample demonstration of that fact. I am very sorry that the right hon. Gentleman is not in his place. If he had been there it would have been my first duty to assure him that in what I am about to say I do not in the slightest degree intend to question anything except his accuracy. I shall go over the charges which he has made against my noble Friend at the head of the

Government; and I must say that I do hope that after the time of the House has been so often occupied by prolonged discussions upon what took place in the year 1848, that may be the last occasion on which it will be devoted to so unprofitable a subject. Among the accusations made by the right hon. Gentleman, there was one good-humoured charge against my noble Friend at the head of the Government, to the effect that he had made game of the Pope. When I heard the right hon. Gentleman use that expression, I could not help recollecting a remarkable sentence which he himself delivered some years ago in this House, and which I will venture to quote. It is only a sentence, and it is thoroughly instinct both with the humour of his nation and the good humour of the right hon. Gentleman himself. I think I recollect a speech of the right hon. Gentleman which closed in terms which I am able to cite almost textually. It was a speech upon the unpromising and angry subject of the College of Maynooth; but the right hon. Gentleman, anxious to refresh himself and his hearers, wound up that address with an affecting appeal to the feelings of his Roman Catholic fellow-countrymen; and so far did he go in his desire to conciliate them that, referring likewise to this vexed question of the Pope, he said—I speak now of what is historical, for I think this happened two Parliaments ago, but the words are engraven on my memory—he said, addressing his Roman Catholic countrymen, "I assure my Roman Catholic fellow-citizens, that I respect even the Pope himself, and I wish him nothing more than that he should have under his nose a Parliament like the Parliament of Piedmont, to keep the infallible man from going wrong every day of his life." I hope, Sir, that that quotation is sufficient proof that if it is to be made an imputation upon the noble Viscount that he has thrown ridicule on the Government of the Pope, at least the right hon. Gentleman must administer punishment upon that score with considerable mercy and equity. But the right hon. Gentleman charged my noble Friend with having laboured indefatigably to get rid of Austria from Italy, and yet at the same time showed that he had acknowledged the title of Austria to her Itatian provinces under treaty. There was no incompatibility whatever in what was stated by the right hon. Gentleman. Like every other English statesman, my noble Friend has acknowledged the respect which is due to treaties. The recognitions of the Austrian title which he has given have been recognitions made in time of peace, and acknowledgments of the limitations which were imposed by treaty upon the negotiations to be undertaken during such a time; but when treaties are violently cut through by the sword, when Italy is in a state of martial struggle and convulsion, surely the obligations of men are entirely different. They are then bound to consider not what arrangements was made at a particular period by a particular treaty, but in what manner peace may be restored with the greatest prospect of durability. When war has once broken out, if the prospect of a permanent peace requires the modification of a treaty, even like that of Vienna, it is not an offence, it is the duty of a British stateman to declare himself plainly to that effect. But the right hon. Gentleman has, I am bound to tell him, most unintentionally, but most entirely, misrepresented this famous case of the year 1848, on which he is so fond of dwelling. Now, that is a broad statement, but the right hon. Gentleman and the House will in two minutes see whether it is proved or not. Let me first be assured that I have not misrepresented the right hon. Gentleman. I will not go into particulars about the conversation of the Archduke John, but will go at once to what appeared, in the right hon. Gentleman's own view, to be the essential part of his case. He says that in the month of May, 1848, Austria made to the British Government an offer that if England would intervene and restore peace in Italy, Lombardy should be rendered entirely independent, and Venice should have a free constitution under the Emperor of Austria. That, I think, is the charge. The right hon. Gentleman has also said that at that period my noble Friend received a letter stating, or had means of knowing, that Sardinia would be satisfied with that arrangement. [MR. WHITESIDE: I gave the date of that communication.] Quite so. I understood the right hon. Gentleman to say that Sardinia declared that she would be satisfied with that arrangement at the time when it was proposed; because, if not, and if it was at a later period, when the circumstances were entirely changed, the satisfaction of Sardinia is entirely immaterial. This is important, because the reasoning of the right hon. Gentleman is this:—He addressed himself to the two noble Lords who sit near me, and said, "You in 1848 refused a golden opportunity, and postponed the settlement of the great Italian question; and from your conduct in that year we have good reason to believe and suspect that you are going to do the same thing again." But did they do it? The statement of the right hon. Gentleman is that at that period Austria offered to my noble Friend, then Secretary of State for Foreign Affairs, that Lombardy should be independent, and that Venetia, though retained under the Austrian empire, should have a free constitution. Is that a fact, or is it not? The right hon. Gentleman has made an entire, and I am bound to say a gross, though unintentional mistake. He has cited, as being the offer of Austria, that which is not the offer of Austria at all, but a document drawn up by Baron Hummelauer, expressing and purporting to express only his individual opinion. That is not the proof; that is my counter statement. Now I will give the proof. On the 23rd of May, 1848, Baron Hummelauer sent to the Foreign Secretary an official note. The note is long, but there will be no difference between us as to its purport. The purport of it is that the whole of the Lombardo-Venetian Kingdom should continue under the sovereignty of the Emperor, with an administration distinct from that of the rest of the empire, and entirely national—what may be called in general terms a free constitution. Now, that is the proposal of the Austrian Government. It makes no distinction between Lombardy and Venetia. It promises to grant them a constitutional system, but it does not at all separate them from Austria. That is the proposal of the Austrian Government on the 23rd of May, 1848. But, says the right hon. Gentleman, I did not quote the despatch of the 23rd; I quoted that of the 24th of May. That is quite true; but does the right hon. Gentleman suppose, or will the House suppose, when Baron Hummelauer had made that proposal on the part of the Austrian Government on the 23rd of May, he was authorized to make a totally different one on the 24th? There is, unfortunately, no written answer to the paper of the 23rd of May; but there is a paper of the 24th, which shows distinctly all that took place, and bears out to the minutest particular what my noble Friend has stated to-night. It appears that my noble Friend on receiving this offer, which involved no surrender of territory on the part of Austria, intimated to Baron Hummelauer that it was unsatisfactory. He produced, it would appear, a considerable impression on Baron Hummelauer, who then draughted a fresh plan, as to which both he and my noble Friend seem to a considerable extent to have agreed, and by that plan Lombardy was to cease to belong to Austria, and Venetia was to be formed into a separate Government. But was that the plan of the Austrian Go-Government? [An hon. MEMBER: "It was."] My hon. Friend who says it was has not read the covering letter which accompanied it, and which shows that it was merely the plan of Baron Hummelauer. He says in that letter:—

> "If the Council (meaning the Cabinet) gives its approbation to the ideas in question (meaning those contained in the enclosure), I will immediately return to Vienna and urge the expediency of their being adopted by my Government."

So that the right hon. Gentleman has fallen into a gross error. That which he says was the proposal of the Austrian Government was nothing of the sort; it was simply a draught paper, embodying the result of the discussions between my noble Friend and Baron Hummelauer. The right hon. Gentleman says it became the proposal of the Austrian Government afterwards, at any rate.

MR. WHITESIDE:—I said that it was transmitted by the noble Lord as the Austrian official proposal to his Ministers abroad, to Mr. Abercromby, for instance, at Turin, and I quoted from a despatch of Mr. Abercromby's giving the opinion of the King of Sardinia upon it.

THE CHANCELLOR OF THE EXCHEQUER:—I do not want to do the right hon. Gentleman any injustice. If it was transmitted abroad as an official offer of the Austrian Government, I acknowledge that it was a gross error; but I am authorized by my noble Friend to assure the right hon. Gentleman that he is entirely mistaken, and that it was sent to Turin merely as a paper embodying the opinions of Baron Hammelauer. The right hon. Gentleman says it was accepted by the Sardinian Government. My noble Friend had to deal with this scheme on the 24th of May; and what were the declarations of the Sardinian Government at that date? On the 24th of May Her Majesty's Government received two letters from Mr. Abercromby, one of the 18th and the other of the 19th, both of them declaring the views of the Sardinian Government. The first letter declares at great length that no half measures can be of the smallest avail—that Austria must evacuate Italy altogether: and the second letter recites the proceedings in the Chamber of Deputies the day before, in the course of which the Minister for Foreign Affairs had stated that no negotiations would be entered into except after the complete evacuation of Italy by Austria, or for the purpose of bringing it about. After that how can the right hon. Gentleman maintain his charge against my noble Friend? The right hon. Gentleman says that my noble Friend the Foreign Secretary wishes to upset and defeat the recent treaty, and he protests against the idea of England participating in the proceedings growing out of that treaty. My hon. Friend the Member for Dundalk (Mr. Bowyer) also was exceedingly desirous that the Government should not go into a Congress; but I must confess my hon. Friend's objection does not greatly influence my mind, because—using the terms in the sense we shall both understand—I think it arises principally from a fear that we may by some possibility do some good in a Congress. On Italian politics I am afraid that our ideas are so entirely different that we cannot translate the language of the one into the language of the other without turning it completely inside out. My hon. Friend who spoke last (Mr. Drummond) also cautioned the Government against going into a Congress, but in guarded and moderate terms; and he told us that he did not wish the House to give any abstract opinion on the subject either one way or the other. There is not a Member of the Government who has spoken to-night who has not taken the same view. All that we say is this—do not let us be bound by any anterior determination of this House taken with imperfect information as to the facts; the character of a Congress must change essentially according to many circumstances which may occur, and with regard to which we have no information. Nobody knows at present whether Austria is finally a consenting or a dissenting party to a Congress. With regard to the feelings of Russia and Prussia on this point, I am not aware that the House is in possession of any information. With respect to France, surely it would be the duty of England to lend assistance to France, in any unexceptionable manner, in the pursuit of objects favourable to European freedom and order; but, on the other hand, it would be equally the duty of the Government to keep itself free from any prior entanglement of any kind. The right hon. Gentleman says it is the wish of the Government to upset and defeat the treaty; but, apart from the justice of that accusation, can anybody doubt the justice of the distinction drawn by my noble Friend to-night between those provisions of the treaty which lie between the belligerents themselves and those which pass entirely beyond the sphere of the war, and which touch on the future condition of Italy. Are we to be told that the future condition and constitution of Italy is a matter so entirely foreign to European interests, that at the very beginning of the inquiry we are to register a vow that we will on no account enter into a Congress respecting it? The return of the Grand Duke, the Italian Confederation, and the Papal power, are surely questions which are capable of development in many different senses — as, indeed, my hon. Friend the Member for Dundalk shrewdly foresaw when he was so ready with his objections to a Congress. I certainly cannot quite go the length of my hon. Friend who spoke last, when he says that the temporal power of the Pope is a question essentially religious. I do not presume now to give any opinion as to that power, but I do protest against the doctrine that the question is a religious one. I say it is a civil, a social question; it is a question of natural truth, justice, and morality; and religion has no right to interfere with it until the dictates of justice and natural morality are satisfied. It surely would be a strange course for England, Russia, and Prussia, the non-Catholic Powers, who are responsible for setting up the Papal power in 1815, to record beforehand a fixed determination that nothing should induce them to interfere with this question on the ground that it is essentially a religious question. May I be allowed to touch upon one other point, and it is one which will command the sympathy of the right hon. Gentleman the Member for Dublin University (Mr. Whiteside), since it relates to the condition of the Italian people and their feelings at this moment. I am sorry to hear the right hon. Member for Buckinghamshire lend himself to-night to a wide-spread but vulgar error. He supposes that there are but two parties in Italy, and he casts ridicule on the idea of the existence of a Whig party there, by which he means, I suppose—and I am sure my noble Friend will accept it as a compliment—a party attached to rational constitutional freedom. It is not true that there are but two parties in Italy; but I will tell the right hon. Gentleman that there is not a man on the Continent who belongs to the incendiary party in politics, nor a man who belongs to the absolutist party, who will not hold precisely the same language, and who will not join the right hon. Gentleman in casting ridicule and scorn upon the idea that a party attached to rational and constitutional freedom exists in Italy. There does exist such a party, and for ten years Sardinia has been its rallying point. At the present moment you have a most critical state of things in Italy; that party is in danger of losing its ground and giving way to the revolutionary party —for the disappointment and despondency which may fall upon them will naturally give a great impulse to the principles of the followers of Mazzini. That is a point which no Government could keep out of view in considering this question. It surely is the duty of Europe not to allow the friends of moderate opinions in Italy to feel that they are abandoned by the great Powers, and that they have no choice but to be crushed and ground to dust between the pressure of the absolutists on the one hand, and of the revolutionary party on the other. These are considerations of the gravest concern which, in my opinion, it is impossible to exclude from view, and which would render it an act of the grossest imprudence to come at this moment to an absolutely negative conclusion, such as the speakers opposite appear to recommend. It is no question of upsetting and defeating the treaty. The question is, in what manner the provisions of the treaty, large and ambiguous, and susceptible of many forms of application, shall be developed and applied. I must say I perceive one difference between the speech of the right hon. Member for the University of Dublin and that of the right hon. Member for Buckinghamshire. The right hon. Member for the University says, "Do not touch this treaty, for it is a treaty which all condemn," and that was the ground upon which he wished us to keep our hands out of it; but the right hon. Gentleman (Mr. Disraeli), while denouncing a Congress in terms equally strong, takes a totally different view of the treaty, and thinks it is only by gross mismanagement on the part of the Government that they have failed to obtain the credit of concluding it. "If you had been cleverer fellows," he says—which means, I suppose, "If we had been in your place you would have stepped in at the right moment, and instead of transmitting that bit of paper from France to Austria, you would yourselves have contrived to be the author of this great and magnificent pacification." I must confess that I agree with the right hon. Member for the University of Dublin rather than with the right hon. Member for Bucks. The right hon. Gentleman (Mr. Disraeli), if I understand him aright, says, "It appears that large and very liberal terms were offered with regard to Italy, and that you gave some qualified encouragement to those terms;" which, however, was not the fact—the Government have stated what was simply the truth—that they had nothing to do with affirming or denying those terms, but that they did not feel justified, under circumstances so awful, in keeping them back from the knowledge of the party to whom they were offered. The right hon. Gentleman says, "Large and liberal terms were spoken of for Italy, which were afterwards very much restrained, and why did not you, the Government, get credit for restraining them?" He finds fault with the Government, because he thinks they gave countenance to something which contemplated better terms for Italy, and he says it was culpable and weak on the part of the Government not to have obtained those restrained and limited terms. Now, on that point I do not think that Her Majesty's Government would have been at all anxious to compete with the right hon. Gentleman; because I do not believe a diplomatic triumph upon which they would have had any reason to congratulate themselves could or would have been gained. With regard to the peace, I cannot do better than refer to what has been said by my noble Friend to-night. The charge of the right hon. Gentleman is certainly without foundation. The right hon. Member for the University of Dublin has said—and has said rather strangely—that Austria would infer from our sending the paper that it was our paper, and not a French paper, although we sent it with an intimation that it was a French paper and not ours; and I think Austria is quick-witted enough not to arrive at a wrong conclusion. With respect to the discussion of this question—whether to-night or on a future occasion—I entertain the strongest hope, and I feel the firmest conviction, that the House of Commons will not consent, especially in this stage of very partial and imperfect information to interfere between the Executive Government and their most solemn duty, by calling upon them to accept any declaration whatever which will preclude the exercise of their discretion in regard to the measures which they may deem it most prudent to adopt for giving to the peace, if there should be an opportunity, a form which may secure the future and permanent tranquillity of Europe.

Mr. MAGUIRE :* I appeal, Sir, to the justice of this Protestant assembly for its indulgence, while I say something in behalf of the maligned government of a Catholic Sovereign. The noble Lord at the head of the Government has attacked my hon. Friend the Member for Dundalk (Mr. Bowyer), and ridiculed his assertion that the Government of the Papal States was a progressive Government. The noble Lord also added, most emphatically, that the Papal Government was the worst Government in the world. Now, Sir, I contend that the noble Lord has not represented that Government fairly; and I shall call the attention of hon. Gentlemen to a few facts which will enable them to judge of the justice or injustice of the noble Lord's assertions. I shall not attempt to carry the recollection of the House further back than the year 1846. In that year Pius IX. ascended the Pontifical Throne, and scarcely had he ascended it than he exhibited his desire to effect several important reforms in the administration of the Papal States, and to confer on his subjects such institutions as were best suited to the circumstances of the time and the habits of the people. Gentlemen will remember how Pius IX. was hailed, not only in Italy, in France, and in Germany, but here in England, as the greatest reformer of his time. He carried out the intentions which he expressed from the first. He succeeded in establishing a more liberal constitution, and a freer form of Government, than Sardinia enjoys at this day. And whom did the Pope call to his Councils to consolidate the liberty which he granted to his people? Count Rossi—a statesman who represented the enlightened feelings of France, which possessed at that time a liberal Government, free institutions, and an unshackled press. Previously, however, to Count Rossi having been called to the Councils of the Pope, the Holy Father had established free institutions, and carried out many reforms; and the Papal States possessed a lay Government, two unrestricted Chambers, and a free press. From the moment, however, that Pius IX. ascended the Throne, and began to develope his plans of reform, he was most anxiously watched by the Mazzini party, who were determined, for their own purpose, to take advantage of his clemency, liberality, and generosity. One of the very first acts of the Holy Father was to fling open the prison doors and grant a general amnesty, thus granting freedom and pardon to all persons imprisoned for political offences. These men vowed, in the most solemn manner, to prove faithful subjects to so merciful and generous a Sovereign, and many of them swore by their blood—nay, by their hopes of salvation—to be grateful for the clemency exhibited to them. But the Mazzini party only thought how far they could turn this clemency and those reforms to the furtherance of their own nefarious designs. No reform, however liberal—no concessions, however large—could satisfy that party, whose sole object was revolution; and those who belonged to that party, or who favoured their designs, were instigated—so it was stated in Italy—by a noble relative of the noble Lord the Member for the City of London, to make demands which it was impossible to grant. The Pope refused to grant all that the revolutionary party demanded, while at the same time it was his desire to secure the liberty which he had granted. The experiment of free institutions, a representative system, and a lay Government, was tried; and yet what was the result? Why, Count Rossi, the Pope's lay Minister, was assassinated, in the open day, on the very threshold of the Chamber of Deputies. Here were two Chambers, a perfect representative system, a lay Government, and a free press—the result of the reform granted by the Pope, in a state which had previously been governed, like most others in Italy, by the ruler and his ministers; and yet you assert that the Government of the Pope is not progressive! What followed upon the murder of Count Rossi? The next day the palace of the Pope was besieged—attacked with fire and sword—and a revolutionary Ministry was forced upon him by an armed mob, not consisting of Romans, but of the refuse of the Continent, who were urged on by Mazzini to accept no reasonable concessions, and who were led to believe that the two noble Lords opposite (Viscount Palmerston and Lord John Russell) sympathized in all their movements for the purpose of establishing a more liberal form of Government than that which the

Holy Father had so generously granted. Every one knows what followed after that attack on the Pope's palace. His personal liberty being thus at an end, he was obliged to fly to Gaeta, not as some who wish to ridicule the Holy Father state, in the disguise of a servant, but in the dress of a simple priest. The Catholic Powers considered that the maintenance of the temporal power of the Pope was essential to the freedom of the Catholic Church throughout the world, and they came to the assistance of the Holy Father. In this France took the foremost part. Rome was besieged by her troops, and Rome soon succumbed to the arms of France; the authority of the Pope was re-established, and some time after the Holy Father returned to his capital. Now, I ask the noble Lords —I ask any hon. Gentleman in this House —whether, after the utter failure of the experiment made, of giving free institutions to his subjects, it was possible that the Pope could again pursue a course which had led to such deplorable and fatal results? For the last eight years, since his return to Rome, the Pope has devoted his energies to the more useful task of developing the material resources of the country; and those who assert that the Pope and his Government have not endeavoured to promote the welfare of the people, state that which is not susceptible of proof. Among the legacies left to the Government by the Triumvirate, was 7,000,000 of worthless paper money; that has been taken up, and now one of the best currencies in the world is that of the Papal States. The hon. Member for Pontefract (Mr. M. Milnes) stated that while the Triumvirate held sway in Rome, the utmost tranquillity prevailed, and that the only difference which could be observed, between the appearance which Rome presented then, and when it was governed by the Pope was, that there was greater liberty under the Triumvirate. If the hon. Gentleman had changed the phrase, and made it "greater licence," he would have been more accurate. The fact is, that the greatest licence prevailed: the assassin was free to strike down whom he pleased, and every man who was suspected of reactionary feelings, was in danger of being marked out as a victim to the fury of the mob. A single fact, which I state on the authority of an English gentleman who witnessed the tragedy, will best illustrate that sanguinary and ferocious spirit which Gentlemen who sit on the opposite benches, and noble Lords who occupy the Treasury bench, are too ready, by their encouragement, to evoke in Italy. When the French troops had entered Rome, and just as the head of the column was appearing at one end of the Corso, an unhappy man, said to be a French Priest, was heard to say "Thank God, they are come!" He was immediately seized by a mob; two men held him by either hand, and hurried him along, striking him with their fists, while a third, who was armed with a cutlass, struck him over the head with his weapon, and at length, just as they reached the Piazza Schiara, succeeded in killing his unfortunate victim. Nor did their fury end with their victim's life; with the same bloody sword they ripped open his body, tore out his entrails, and twisted them in mockery round his neck. I state this fact to the British House of Commons on the authority of an English gentleman who personally assured me, that he himself witnessed it from a window which overlooked the scene of the tragedy. It has been asserted frequently, here and elsewhere, that the prisons of the Papal States are full of political prisoners. Well, what is the fact? In the month of October, 1858, there were in the whole of the Papal States but seventy-two persons confined for, or charged with, purely political offences. Another fact is worthy of note—that the Pope's Government has never executed a single person for a political offence; those who have suffered death were those who had joined with political offences crimes which are punished with death by every civilized Government in the world. I assert that the Pope's Government has never taken the life of a human being for a mere political offence. I said that the Government of the Pope had devoted its energies to the development of the material resources of the country. Before the late unhappy war commenced, the condition of that country was one of progress. I assert that which is susceptible of proof. The shipping of the States had greatly increased—that is the tonnage of vessels belonging to the people of the States; commerce was being steadily developed; manufactures were on the increase, and had sprung up in places where I thought manufactures would scarcely have existed; and as to the finances, not only had all the debts of the Revolution been paid off, but in 1858 there was that which I wished the Chancellor had, when he made his statement a few nights since —a balance in the Exchequer. It was a small balance, it is true, but it was the first which was obtained for nearly thirty years, in consequence of frequent revolutions—revolutions too often encouraged by the English Whigs. Then, as to education, what is the fact? Education is progressing, not only in Rome, but in all the provinces; and one of the most anxious cares of the Holy Father is, to procure a sound moral education for the humbler classes. In October last, there were 23,000 scholars receiving a free education in the city of Rome. What would the hon. Member for Leeds (Mr. Baines) say to that? In the night schools, many of which have been established by Pius IX., there are over 2,000 pupils; and when I visited those schools in October and November last, I found some of the highest personages of the Papal Court engaged in teaching the children of the very humblest portion of the population. Nothing can exceed the zeal of the Holy Father in promoting education throughout his States. As to other material improvements—the roads and highways have been added to and improved; railways have been encouraged; and there were at the close of last year, 614 miles of telegraphic communication established in the country—which is more, perhaps, than can be said of Ireland at this moment, though it is part of the British dominions. I say, Sir, hon. Gentlemen should take facts like those into their consideration, and pause before they, by encouragements to revolution, paralyse the hands of the Papal Government, and thus impede the progress of material reforms. Let the House take another fact, which is not uninteresting. The entire cost of defraying the expenses of the Pope, the Cardinals, the Foreign Ambassadors, the whole Papal Court, and of the Civil List, as well as of the Royal Palaces and Museums, is only £120,000 a year; and yet if the Pope or the Cardinals, or the clergy generally, have a farthing to spare, after defraying their ordinary expenses, the surplus is devoted in some useful and charitable purpose—in establishing a school, an asylum, or an hospital—or in some way in which good can be done, and human misery alleviated. Much has been said of the administration of affairs by the priesthood; but in many instances in which laymen have been sent as governors into the provinces, the people have petitioned and clamoured for their recall, and have demanded ecclesiastics in their place. Why is this? The layman, perhaps, has a wife and family, and, therefore, is influenced by selfish and worldly interests; but the clerical governor has no family to divide his cares with his people, and generally it is a matter of pride in an ecclesiastic to connect his name with some useful public work or with some noble institution. The noble Viscount at the head of the Government asserts that the Pope's Government is the worst in the world. That I emphatically deny. I do not attempt to say that the Pope's Government is infallible; I do not say, nor do I think, that it is the best Government in the world—but I do say that it is a Government which is steadily progressing, while struggling with the greatest difficulties—difficulties which we should not aggravate by our meddling and interference. That it is not what the noble Viscount asserts it to be—"the worst Government in the world"—there is evidence to prove. I refer the noble Lord, and I refer hon. Gentlemen, to the despatch of Count de Rayneval, the French Ambassador at Rome; in which despatch the real state of the case is given, and the merits as well as the defects of the Papal Government are fairly set forth. The Chancellor of the Exchequer has been, just now, relying on the authority of official documents, and quoting them as conclusive in support of his views. Now, the despatch of Count de Rayneval was written with all the responsibility which could attach to the position of an Ambassador, representing his Government in another country; and I appeal to that document against the calumnious assertions of the noble Lord. As to the contemplated Conference, the less the British Government have to do with it the better. The wisest plan—especially after the statement of the noble Lord, who has expressed himself so strongly against the proposed scheme of an Italian federation, which appears to be the basis of the peace—is for his Government not to meddle with the question; for, in Italy, so far from the two noble Lords being regarded as the friends of freedom, they are considered—and I think justly so—as the greatest opponents of free institutions and rational progress. They have already done their best to stir up an incendiary spirit in that country; and the result of their interference has ever been this, that they have rendered moderate reforms impossible. I desire to see real freedom and reform in Italy. Yes, but that cannot be obtained by violent revolution; and the worst of all modes of obtaining it is, by inciting the incendiary and the assassin. The noble Lord at the head of the Government has committed himself, not only against the programme of the peace, but by the marked hostility which he has displayed to the Papal Government. Therefore, any interference on the part of a Cabinet animated by his spirit, can only be attended with mischief, not good. I am not, however, in the least afraid of the noble Lord's hostility; for when he will occupy, perhaps, some niche in Westminster Abbey, the temporal power of the Pope will be still in existence. And let hon. Gentlemen who represent the feelings and principles of Exeter Hall, be assured of this, that though the Pope should be driven again to Gaeta—nay, to the most inhospitable and uncivilized portion of the globe—he would still be the Pope; he would still be the Head of the Church, and every Catholic heart would still loyally respond to his spiritual authority. The temporal power of the Popes has existed for more than a thousand years. It was established for wise and great purposes, and it has been maintained and defended by the greatest and wisest of States and Governments. The two noble Lords may try to destroy it; but when those noble Lords are forgotten, or are merged in the list of common-place statesmen who pandered to the prejudice or malice of the hour, that power will still be triumphant. Let Gentlemen who say that the Papal Government is the worst in the world, not take as evidence the flippant strictures of a French pamphleteer who has written his book for a certain purpose; let them not take the statements of the Sardinian newspapers, which are inspired by an aggressive and selfish Government; nor let them rely on the descriptions given by those English Protestants, who not only go to Rome to sneer at and ridicule everything they see, but do their utmost to disseminate discontent and disaffection—but let them inquire of those who know the real facts of the case and are competent to speak in an impartial spirit. As to the late war, I have but one remark to make. I have no respect whatever for the motives by which Sardinia was actuated in provoking it; she affected to listen to the cries of suffering nationalities; but this was a miserable pretence, her only real motive being to snatch away a slice from the territory of another Power. Anything more dishonest or flagitious is not to be found in history; and I believe the Emperor of the French has good reason to regret that he ever yielded to the selfish importunities of Sardinia. However that may be, let the matter be settled between them; for the less the English Government meddle with the difficulty, the better for them and for Italy. Any interference in the spirit of the noble Lords will only complicate that difficulty; and instead of peace and order being the result of their interference, there will be discord, and revolution, and worse confusion than before. It will also increase the Italian hatred of Englishmen, the consequence of many a bitter disappointment. And already in Italy, the name of the noble Lord the Member for the City of London is thoroughly detested, and that of the noble Viscount the Member for Tiverton is utterly abhorred.

LORD CLAUD HAMILTON hoped the Chancellor of the Exchequer would excuse him if he reverted again to the charge which the right hon. Gentleman made against his right hon. and learned Friend the Member for the University of Dublin (Mr. Whiteside), of making a charge without any foundation against the noble Lord the Member for Tiverton. He wished to show the Chancellor of the Exchequer that if he had read the blue-book a little more attentively he would have found that it completely substantiated the charge. Now, the charge was that the noble Lord the Member for Tiverton, in May, 1848, when he was Foreign Minister, had an opportunity of securing for Lombardy her own independence, either separately, or in alliance with Piedmont, as she thought fit, but that he would not accept that proposition, and that the consequence was a bloody war of three or four months, which ended in Lombardy getting less favourable terms than she would otherwise have obtained. The noble Lord was for driving Austria completely out of Lombardy, and he never availed himself of the clever expedients and suggestions which the Chancellor of the Exchequer had mentioned. ["Read."] Well, on the 3d of June, 1848, the noble Lord wrote saying that Her Majesty's Government would be unwilling to enter into any negotiation which in their opinion afforded no prospect of success. The noble Lord added that the Government would not withhold their assent from an arrangement which, being framed on the principle stated in the memorandum of Baron Hummelauer, of the 24th of May, in reference to Lombardy, should also include such a portion of the Venetian territory as should be agreed upon between the respective parties. Therefore the noble Lord rejected the proposition for the independence of Lombardy, unless Venetia was thrown into the bargain. On the 12th of July and on the 17th, he again held the same language, never once questioning the full powers of Baron Hummelauer. After the celebrated Radetzky, by his successful movements, began to menace the frontiers of Sardinia, the noble Lord sat him down to write another despatch. On the 7th of August he wrote to the Marquess of Normanby, and, after expressing the anxiety of Her Majesty's Government to employ their good offices in bringing about a satisfactory and honourable peace, suggested that a permanent arrangement should be proposed between the two parties in conformity with the plan stated in the memorandum of Baron Hummelauer of the 24th of May. Now, this clearly showed that the charge made by his right hon. and learned Friend (Mr. Whiteside) was entirely sustained by the documents to which he had referred, and the Chancellor of the Exchequer had failed to meet the arguments of his right hon. Friend, although the noble Lord had probably "crammed" him for the occasion.

LORD JOHN RUSSELL: My noble Friend who has just spoken seems to think he has diminished the force of the argument of my right hon. Friend the Chancellor of the Exchequer; but the fact is that what my right hon. Friend urged remains just in the same position as it stood before. The proposition of the Austrian Government was stated on the 23rd of May. The proposition of Baron Hummelauer was stated on the 24th of May; and at a subsequent date, according to the document which the noble Lord has read, my noble Friend refers to that memorandum as Baron Hummelauer's memorandum. That is in exact conformity and strict consistency with what my right hon. Friend has said. The noble Lord does not see that the first question is, what was the proposition that was made? Was it the proposition of the Austrian Government, or was it a proposition of Baron Hummelauer which he had taken upon him to make? There can be no doubt that it was the proposition of Baron Hummelauer, made here in London to the British Government. But it is quite another question whether or not Her Majesty's Government of that day ought at once to have accepted that proposition. We had nothing to do with the contest then going on. The people of Venice had risen against Austria, and were in possession of their own capital. The question was whether we, being spectators of the contest, should say to the King of Sardinia, "Here is so good a bargain to you in getting Lombardy that we think the people of Venice should be abandoned and given up at once to the mercy of the army of Austria." What would have been said of us if we had adopted that course? I think, however, that my noble Friend was perfectly justified in making such a proposition months afterwards, when the tide of success had turned; but to have said to the people of Venice in the first instance, "You who have gained your liberties, you who are in possession of your independence, should be placed by England at the mercy of Austria," would have justly exposed us to the charge of deserting a gallant people and leaving them without a chance of maintaining their freedom. Having troubled the House with a statement in the early part of the evening, I do not wish to enter into the discussion that has ensued; and indeed the right hon. Gentleman who followed me and the hon. and learned Member for Dublin University have been answered in so complete a manner that there is very little, if anything, left for me to say. I must make a few observations, however, in reply to the hon. Member for Dungarvan (Mr. Maguire) because he has thought fit to connect my noble Friend and myself in a way to which I do not think we should at all object with the mission of Lord Minto. But he has represented Lord Minto as having endeavoured to inflame the passions of the extreme revolutionary party in Italy, and enabled them to overcome the constitutional party. The fact was precisely the reverse. My noble Friend gave Lord Minto a mission to Italy with the view of preventing a revolutionary movement, with the view of inducing, on the one side, the Governments to make wholesome and temperate reforms, and of persuading, on the other, those who were the leaders of the Liberal party at that time to be satisfied with such reforms as could be obtained, and to restrain the violent and extreme men who were pushing on to revolution. Not only was that his mission, but my belief is that he would have succeeded had it not been for the revolution in France in February, 1848, which totally changed the whole face of things, and gave the Republicans throughout Europe an impulse and a strength which it was impossible for the Governments of Italy to resist. Lord Minto did not even counsel at Rome that there should be a representative assembly. He thought that was going too far at the time, and believed that the proceedings of such a body would not be conducted with moderation. The person who gave a constitution, who set on foot a representative assembly at that moment, was the King of Naples. It was the King of Naples who set the example; and the Pope said to Lord Minto, who could not but agree with him, "His Majesty has destroyed our whole chance here; the revolutionists at Naples will carry everything before them, and it will be impossible to withstand the torrent at Rome." That was true, no doubt; but it was, in the first place, the constitution of the King of Naples, and, in the next, the French revolution, which gave irresistible strength to the violent party, brought about the murder of Count Rossi, and afterwards led to so much evil in Italy. I do not know how it happens, but the hon. Member for Dungarvan seems to have got two different political creeds. Following the example of the extreme Tories all over Europe, he confounds moderate reformers with the friends of anarchy and the instigators of revolution. He does not seem to be able to conceive that it is possible to have representative Governments and moderation at the same time. Upon the present occasion he has made himself the exponent of Roman opinion, and he thinks that the conduct of the Papal Government has been most exemplary. Let me put the test which my noble Friend has already applied. If the Papal Government is such an excellent Government, why is it necessary that there should always be a French garrison at Rome? If the Government of Bologna is so good, why should Austrian troops always be quartered in that city? Is the presence of foreign soldiers a test of good government? Are we to believe that the benevolent views of the Papal Government cannot be made conspicuous, that nobody could understand its merits, unless you have foreign troops to force it down the throats of the people over whom it rules? If the hon. Member carried the doctrines of Toryism to a greater extreme than any other Gentleman in this House, I should not be surprised at his maintaining that proposition; but when we come to domestic affairs, to matters relating to England, Scotland, and Ireland, we do not hear him say that representative institutions and a free press are revolution.

MR. MAGUIRE: I never said any such thing with respect either to this country or to Italy. I said that a representative government had been tried in Rome and failed.

LORD JOHN RUSSELL: But the hon. Gentleman must be aware that in Rome and the Papal States, foreign troops have been used for the purpose of keeping the people in a state of political bondage. What is happening at the present moment? The military pressure having been removed, the people are forming Governments for themselves. They would have done so ten years ago, if it had not been for the Austrian troops garrisoned in their towns. But the hon. and learned Member for Dublin University has said, that if my advice were taken it would renew the war.

MR. WHITESIDE: I said it might renew the war.

LORD JOHN RUSSELL: It might; but does the hon. and learned Gentleman consider what is the present state of some of those countries which are affected by the treaty? My opinion, stated at the beginning of last Session, stated frequently since, and as often by my noble Friend as myself, is, that the people of Italy ought to be left to form governments for themselves. I am, for my own part, willing, if that were done, to give them no advice whatever, but to leave them to act just as they please. They might fall into errors; in some instances, perhaps, there might be popular outrages; but I believe, that if the people of Italy were left to themselves, they would, in no very long time, form sound popular institutions, and order would be as easily kept there as in any of the other civilized countries of Europe. I do not wish to give advice, but when we find foreign Governments interfering, when we hear it said on the one side, that if the foreign troops were withdrawn, there would be universal massacre and pillage, it is perfectly fair that we should give advice on the other. In my opinion, a renewal of the war is more likely to proceed from the marching of foreign troops into Bologna and Florence than from allowing the people to follow their own views and to carry into effect institutions of their own selection. I believe the hon. and learned Gentleman must himself be of opinion that the Italian people would be better able to form good governments for themselves than either France or Austria. Let me observe, before I sit down, that for ten years past people have been saying, that if the foreign troops were withdrawn from Bologna, there would immediately be murder and robbery, that not a single priest would escape, that order would be entirely subverted, and the multitude, without regard to property or authority, would sweep everything before them. Well, there has been a revolution at Bologna; the foreign troops have been withdrawn; the Papal Government has been overthrown, and yet I have not heard of any act of violence or spoliation. At Florence there has been a complete revolution; the Grand Duke went away, abdicating his functions; yet, I ask, what disorder, what pillage, what massacre, has taken place either there or in any of the other towns of Tuscany? I say, then, that as the King of Sardinia has carried on for many years a Government which we were all delighted to see—a Government founded upon free institutions, liberty of worship, and freedom of the press—so I have the utmost confidence that the other States of Italy, if left to themselves, would prove equally capable of enjoying constitutional liberties, and that their proceedings would lead to no renewal of the war which has just been brought to a termination.

Lord LOVAINE reminded the noble Lord that when our Government submitted its proposition for a peace in 1848 the town of Venice was still in open rebellion, and seemed likely to maintain its independence for a long time. Yet at that moment the noble Lord the Member for Tiverton proposed to give up, not only Venetia, but the city of Venice to Austria.

Lord JOHN RUSSELL: What the noble Lord says is quite true; but I believe when Lombardy fell into the possession of Austria there was no chance of Venice being able to withstand the Austrian army.

Mr. KINNAIRD said, he had been alluded to as a representative of Exeter Hall; but he hoped that he should never shrink from expressing his opinions; and he asked the hon. Member for Dundalk whether he had not more respect for a man who candidly expressed his opinion than for those who concealed them? He was glad to hear that the hon. Member for Dungarvan (Mr. Maguire) had given up the infallibility of the Papal Government.

Mr. MAGUIRE said, he had spoken of the temporal Government of the Pope.

Mr. KINNAIRD accepted the correction. The temporal Government of the Pope. The noble Lord had alluded to the Holy Father. He did not explain the acts of the Holy Father at Perugia. He would like to ask the noble Lord to explain the painful circumstances that had taken place there. It had been urged that the Holy Father escaped from Rome, not in the character of a footman, but of a simple clergyman. Now, it certainly was the impression on the public mind that the Holy Father escaped as a footman. Then his hon. Friend had not sufficiently explained the facts with regard to Naples, and the imprisonment of the vast number of individuals, which he (Mr. Kinnaird) thought did not redound to the credit of the Italian Government.

Question put, and *agreed to.*

BUSINESS OF THE SESSION.

OBSERVATIONS.

Mr. DISRAELI said, it would be convenient to the House to know what was the probable course of public business. He understood that on Monday the noble Lord opposite (Lord Elcho) would bring forward his Motion on the subject of Italy, which had been the subject of the debate so unexpectedly raised that night. A Notice had also been given for Monday night with regard to the Indian budget. He thought the subject of Italy had not been sufficiently discussed, and that the opinion of the House should be taken on it; and, if so, delay could not be too much deprecated. Of course, much would depend on the opinion of the noble Lord at the head of the Government. If there was to be a discussion on the probable Congress on the affairs of Italy he thought it ought to be brought forward on Monday; and in that case the Indian budget might be postponed. He thought the House should know what the noble Lord at the head of the Government proposed on the subject.

Viscount PALMERSTON could not, of course, answer for his noble Friend (Lord Elcho), who was not now in his place; but the Government proposed to take the Income-tax Bill in Committee to-morrow, and the Secretary of State for India hoped that the noble Lord would not stand in his way on Monday. ["Oh!"] The Orders of the Day had precedence on Monday, and it was very important that the Indian financial statement should be made at once.

Mr. DISRAELI was afraid that he had not made his meaning sufficiently clear. Of course it was in the power of the Government to adhere to that arrangement; but he thought he did not misinterpret the opinion of the House when he said that a discussion ought to take place on the Motion of the noble Lord the Member for Haddingtonshire. Now, if there was to be a discussion on that question, it would be convenient that it should take place on Monday; but then there ought to be a distinct understanding. The House ought not to be left in doubt whether or not it would be called upon for an opinion on that subject.

Mr. ROEBUCK said, he had been informed by the noble Lord (Lord Elcho) that it was his intention to bring forward his Motion on going into Committee of Supply. The Motion for Supply must be made on the question of Indian finance, and therefore Lord Elcho could bring forward his Motion in spite of the Government.

Mr. Alderman SALOMANS said, there was a general understanding in the City that the statement respecting Indian finance was to be made on Monday next, and he trusted that it would not be postponed.

Sir CHARLES WOOD believed that great anxiety prevailed in the House and in the city with regard to the Indian budget, and that much disappointment would be occasioned if it were not brought forward, according to arrangement, next Monday.

Lord ELCHO said, he had not heard the discussion which had taken place, but he was certainly very anxious to bring the subject of his Motion under the consideration of the House, and more particularly after what had taken place; for it seemed to him very desirable that there should be some expression of opinion as to the policy of joining in a Conference. He was very anxious England should keep aloof from any Congress; but of course as to the time of bringing this question forward, he was in the hands of the Government, and would submit it when it was most convenient to them to do so.

MUNICIPAL CORPORATIONS BILL.

THIRD READING.

Order for Third Reading read.

Motion made and Question proposed, "That the Bill be now read the third time."

Mr. HENLEY moved that it be read a third time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 101; Noes 61: Majority 40.

Main Question put, and *agreed to.*

Bill read 3°, and *passed.*

MEDICAL ACTS AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

Mr. WHITESIDE, having moved that the House resolve itself into Committee.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

Several hon. Members objected to proceeding at that late hour; and

Sir EDWARD GROGAN moved, "That the House do now adjourn."

Motion made, and Question put, "That this House do now adjourn."

The House *divided*:—Ayes 63; Noes 91: Majority 28.

Question again proposed, "That Mr. Speaker do now leave the Chair," and, by leave, *withdrawn.*

Committee *deferred* till *To-morrow.*

CHURCH RATES ABOLITION BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Mr. BANKS STANHOPE moved that the Chairman report progress.

Motion made, and Question put, "That the Chairman do leave the Chair."

The Committee *divided*:—Ayes 60; Noes 85: Majority 25.

Sir MINTO FARQUHAR appealed to the hon. Member for Tavistock (Sir John Trelawny) not to proceed further with the Bill, it being now two o'clock.

Sir JOHN TRELAWNY agreed to the Chairman reporting progress, on the understanding that no opposition would be offered to his proceeding with the Bill to-morrow.

House resumed.

Committee report progress.

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, July 29, 1859.

Minutes]. Public Bills.—1ª Railway Companies Arbitration; Imprisonment for Small Debts; Municipal Corporations.
2ª Pawnbrokers.
3ª Consolidated Fund (£7,000,000).

THE CHURCH RATES BILL.

OBSERVATIONS.

The Marquess of SALISBURY said,

that their Lordships had a few days ago appointed a Committee to examine the Question of Church Rates. That Committee had taken some important evidence, but there was a great deal more yet to come. He observed that there was a Church-rate Bill in the other House which had passed through several of its stages, and it was very desirable that their Lordships should know what course the Government intended to take on that Bill. He could hardly think that at this late period of the Session it was the intention of the Government to proceed with a Bill of such importance; while, too, their Lordships' Committee was still sitting and taking evidence on the subject to which it referred.

THE DUKE OF MARLBOROUGH said, that the Committee which had been appointed by their Lordships' House to inquire into the subject of church rates had received a very large amount of valuable and important information of a character which had not before been tendered upon this subject. That evidence would shortly be ready to be reported to their Lordships' House. He held it to be of the greatest importance that their Lordships and the public at large should have the opportunity of seeing and considering that evidence before the general question was brought on for decision. He would therefore earnestly support the appeal of the noble Marquess; and he trusted that the Government would not at this late period of the Session proceed with the Bill.

THE DUKE OF NEWCASTLE begged to remind his noble Friends that the Bill in question was not a Government measure. It was in the hands of an independent Member of the other House of Parliament, and if it should come up to that House he supposed it would be entrusted to some noble Lord not a Member of the Government. Under these circumstances and in the absence of his noble Friend, the President of the Council, it was impossible that he could give any assurance as to the course, if any, which thn Government might take respecting it. Much would depend on the period at which it came up from the other House. At the same time, there was every appearance of its coming up at so late a period of the Session that he did not hesitate to say a Bill of such importance ought not to be pressed on the House within a week or ten days of the close of the Session, when it would be impossible for the House to give it a careful consideration. With respect to the Committee on Church-rates, which was about to report to the House, their Lordships would remember that its appointment was assented to by his noble Friend the President of the Council, on the distinct understanding that it was to be no bar to Legislation in the present Session, in the event of a Bill coming up from the other House on the subject.

THE DUKE OF MARLBOROUGH said, that that might be so; but at the same time he should appeal to the noble Lords opposite that the circumstance of a Committee having been appointed to inquire into so important a subject ought to be considered by the House as imposing upon it the duty of giving effect to such appointment by delaying legislation on the subject until they had heard the report of that Committee and the evidence upon which it was founded.

THE DUKE OF NEWCASTLE repeated, the Bill in question had not been introduced into the House of Commons as a Government measure, and therefore he could give no assurance as to the course which would be pursued.

LITURGY OF THE CHURCH OF ENGLAND.—PETITION.

LORD EBURY *presented* a Petition from the clergy of the Church of England, for a Revision of the Liturgy of the Church of England. His Lordship said that the petitioners prayed the House to address the Queen to appoint a Commission to revise the Liturgy, a subject which he maintained was regarded by all the thinking portion of the national Church as of paramount importance; and he fancied their Lordships would be disposed to attach greater weight to the petition from the fact that it was signed, not by the laity, but by upwards of 500 clergymen of the Church of England. The petition, of which he had caused copies to be sent to every Member of their Lordships' House, had been already presented to the House of Commons, and he commended it to their most serious attention, containing as it did a comprehensive and compendious statement of almost all the alterations which were desired by any party in the Established Church, although the alterations in question might not be desired in their entirety by each of those parties. He thought that the opinions embodied in that document were those entertained by the majority of the thinking laymen of the Church of England, and also of a very respectable body of the clergy; in proof of which he might mention that a petition of a similar character had received 10,000 signatures of the laity in one town alone, and had been presented to the Queen. He very much regretted that the leaders of the Church should have thought proper to give a complete and emphatic denial to his proposal; and he was desirous of stating that, owing to the various interruptions which had taken place in the course of the present Session, it was not his intention to bring forward the measure to accomplish the object set forth in the petition during the present year. That such an Amendment, however, would be desirable, was rendered manifest by the fact that the Committees appointed by both Houses of Convocation in the year 1854 had recommended considerable changes, one-fourth of which could not be carried out without an alteration of the Act of Uniformity. Not one statement that he had put forward when addressing their Lordships in May last had been controverted, and not a single argument had been answered; and he therefore deeply regretted that Convocation within the present year should have felt it their duty to propose an Address to Her Majesty praying that no alteration whatever might be made in the Prayer Book. The only hope therefore of those who were desirous of revision lay, therefore, in the Houses of Parliament to obtain for them the improvement which they desired. In conclusion the noble Lord expressed his determination to bring forward this subject at as early a period in the next Session as the convenience of their Lordships would permit.

THE ARCHBISHOP OF CANTERBURY said, that the speech of the noble Lord might seem to require some answer, but as the noble Lord did not appear desirous to promote discussion on that occasion, he (the Archbishop of Canterbury) would merely say that he thought that many of the Members of the right rev. Bench had given sufficient reasons why some of the changes advocated by the noble Lord should not take place. He felt obliged to the noble Lord for having given notice of the course he intended to pursue next Session. It was impossible for the Bishops to be absent from their dioceses at the present time; but when the noble Lord's Motion should come on for consideration he and his right rev. Brethren would be ready to enter fully into a discussion of so much importance.

THE BISHOP OF LONDON said, he was sure there was no man less inclined to mislead their Lordships on this question than his noble Friend (Lord Ebury), nor was there any man who had more at heart the best interests of the Church of England. But their Lordships had been led to believe that what the noble Lord desired was simply to shorten the services of the Church, and that he represented that portion of what he (Lord Ebury) called the enlightened laity who were desirous to attain this object. He was ready to admit that this was an object which a great body of the laity, both enlightened and unenlightened, desired; but he did not think that the right way to shorten the services was to take the course which the petitioners desired. There was a danger of mixing up two very different questions in connection with this subject. Whether the services should be shortened was one question—whether the doctrines embodied in the services should be altered was another. For instance, the petitioners proposed as one way of shortening the services to leave out the Athanasian Creed; another way of shortening it was to leave out the observances for the saints' days; another to leave out those passages in the Absolution that had given rise to so much discussion; while another mode was to alter the baptismal and confirmation services. Now, really, if that was a specimen of the way in which the Church services were to be abbreviated; if a process was to be followed in which questions of doctrine were mixed up with abbreviation, he put it to the noble Lord whether such abbreviation would not lead to changes which neither he nor the clergy nor the intelligent laity whom he represented ever contemplated? The petitioners said they wished no new doctrine to be introduced; but they did not say how many doctrines they wished to be left out; which was a very important point, for it was just as possible to alter the whole aspect of our ecclesiastical system by omission as by addition. He very much feared that if abbreviation were to be followed out in the way suggested by the petitioners, the result would be that the Church of England would be divided into two distinct Churches; whereas it was the glory of the Church of England at present that it included persons holding the variety of sentiment that was sure to be found in an intelligent age in a great national Church. If, therefore, they did not feel their consciences hurt or forced by expressions in the service those who best understood the spirit of the

Church of England were willing to allow them to remain, though, as individuals, they might wish to see them altered. With reference to the discussions in the House of Convocation, his understanding of those discussions was that there had been expressed in the House a great desire to see the services made more elastic, but there was a conviction that this should be effected without running the risk which such a proposal as that of the noble Lord would incur; especially as it was believed that they had the power to obtain the end they desired without any new legislation. It was the opinion of the bench of Bishops that they had the power to authorize any clergyman to use the Litany as a separate service, and that they had the power, which they exercised every day, of authorizing the communion also to be used as a separate service. If that were not oftener done, it was because it was believed that the majority of persons who attended our churches desired the service to remain as it was; but that was no reason why the services which he had named should not, when it was wished by any parish, be regarded as separate services, and those persons who preferred doing so should have the opportunity—at least in towns—of frequenting those shorter services. It was notorious that in some cathedrals these services, which the petitioners represented as indissolubly united together by Act of Parliament, had, from time immemorial, been separated. In the case of the Chapel Royal, for example, the services remained united, because no intimation had been given by the congregation that there was any wish for their separation; and there was no other reason why he, as Dean of the Chapel Royal, should not recommend to Her Majesty to authorize that to be done in the Chapel of St. James's, which there was no impropriety in stating was done in Her Majesty's private chapel—namely, to have the morning service read at an early hour, the Litany and Communion to form a separate service by themselves, and the afternoon service read as a separate service. The real difficulty the Bishops had to deal with was, that they did not feel confident they could carry with them the wishes of a majority in the congregations of the various churches for these changes. A great deal of the time of himself and other right rev. Prelates was taken up by complaints from churchwardens against clergymen who departed in the slightest degree from the common manner of celebrating the services. Of course, it was the bounden duty of a clergyman not to take steps for such an alteration as he had alluded to unless he had some ground to believe that it was the wish of the laity that he should do so; but he was confident that if the intelligent laity expressed a desire to have the services differently divided there were in the metropolis a great number of churches in which it might very easily be done. Of this he was certain, that the limitation of the afternoon service—which in London was now, he deeply regretted to say, very little attended—to the Litany alone would be most acceptable to a large number of persons in the metropolis. The ground, then, upon which the right rev. Bench had always opposed the proposition of the noble Lord was that they were of opinion that all the good at which he aimed might be effected in another way, and that the endeavour to attain it in this manner would lead to evil which he himself would be the first to deprecate.

Lord EBURY said, the right reverend Prelate was mistaken in supposing that the Athanasian Creed was proposed by the petitioners to be expunged; they only desired to leave out the repetitions. They desired further, the omission of certain words which incorrectly represented the doctrines of the Church of England. He wished it to be understood that, though he had presented the petition, he did not take upon himself to endorse all the statements in it. What the petitioners prayed was, not that the alterations suggested should be made, but that a Royal Commission should be issed to inquire whether they were proper to be made or not. Several of the alterations prayed for had already been made in the American Episcopal Church.

The Earl of POWIS complained that the questions of abbreviation and alteration had been a good deal mixed up together; and that those who desired alteration had advanced their views under the pretence that they only sought for abbreviation. These petitioners, for instance, declared that they desired the introduction of no new doctrine, but at the same time they proposed to banish the Athanasian Creed, to omit passages from the Burial service, to clear the Absolution service from the appearance of giving absolution by priestly authority, to remove the sponsorial element from the baptismal service, and to amend the service of confirmation and the catechism so as to make them accord with these alterations. These omissions would produce as great a departure from the standard of primitive truth as might the introduction of entirely new doctrines. If a reformation, or rather a revolution, was intended, let that be stated at once, and not be disguised under the expression that no change of doctrine was intended.

VISCOUNT **DUNGANNON** concurred in all that had fallen from the noble Earl, and expressed his astonishment that any objection should be raised to our most beautiful and impressive Burial service. He looked with great apprehension on any attempt such as that proposed by the noble Lord opposite, and he much questioned his assertion that a large portion of the laity were in favour of a revision of the Liturgy. At any rate, any question of the kind might be safely left in the hands of the bishops and clergy, who were the proper persons to recommend any changes which might be necessary.

LORD **BROUGHAM** said, he thought that House a most unfit assembly to discuss questions of a theological character. No doubt there were many parts of the Liturgy which might be amended, or at least shortened; but matters of this kind were better left in the hands of the right rev. Bench, who had already power under the Crown to do anything which was necessary. With regard to the removal of the Athanasian Creed, he had no opinion of his own to offer, but he might remind their Lordships that it was related by Dr. Paley that he was once at St. George's Chapel, Windsor, when that Creed was read in the presence of George III. When it was commenced His Majesty did not make the usual responses, and the clergyman, thinking this was from inadvertence, began again, whereupon the King shut his book, and, as Dr. Paley said, "left him to go on with his 'Whosoever,' by himself." George III., therefore, as well as Dr. Paley—one of the most useful champions of the Church—did not look upon this Creed as fit to be retained—he meant in respect of the condemnatory words.

THE DUKE OF **NEWCASTLE** said, he was not ready to admit that the laity ought to be excluded altogether from the considerations of questions of this character, but he thought the initiative ought to be left in the hands of the bishops and clergy, and not taken by either House of the Legislature. Constituted as the right rev. Bench was at present, it represented all the various opinions of the Church, and if they were of opinion, as it appeared they were—together with an enormous proportion of the clergy—that it would be dangerous to adopt a proposition of this sort, their opinion ought to be deferred to. He hoped that before the noble Lord fulfilled his intention of bringing forward this subject next Session, he would be ready to state what it was that he proposed to do, since he had stated that at present he was not prepared to endorse the whole prayer of the petition.

After a few words from Lord EBURY in reply,

Petition *ordered* to lie on the table.

House adjourned at a Quarter before Seven o'clock, till To-morrow, a Quarter before Four o'clock.

HOUSE OF COMMONS,

Friday, July 29, 1859.

MINUTES.] PUBLIC BILLS.—1° Sale of Gas; Turnpike Trusts Arrangements; Turnpike Acts Continuance; Customs; Court of Probate, &c., (Acquisition of Site) (No. 2); Sessional Divisions.

3° Local Government Supplemental; Militia Ballots Suspension; Constabulary Force (Ireland); Dwellings for Labouring Classes (Ireland).

INCOME TAX, &c. BILL.—COMMITTEE.

Order for Committee read.

MR. **PIGOTT** said, he had given notice of an Amendment to reduce the amount of increase in the tax from 4*d*. to 2*d*. in the pound, but he then rose to state that it was not his intention to bring forward the Motion. Having regard to the late period of the Session, and the advice of many of his friends, he should allow the Bill to pass through Committee, as it was certain that early next Session the whole of this important subject must be considered by Parliament. He hoped that there was no intention on the part of the Chancellor of the Exchequer to make this tax a permanent Source of revenue, and, remembering what that right hon. Gentleman had stated upon former occasions, such an intention could hardly be believed to exist. In 1853 the right hon. Gentleman, as a Member of the then existing Government, said:—

"The general views of Her Majesty's Government with respect to the income tax are that it is an engine of gigantic power for great national purposes; but, at the same time, there are circumstances attending its operation which make it difficult, and perhaps impossible—at any rate, in our opinion, not desirable to maintain it as a portion of the permanent and ordinary finances of the country. The public feeling of its inequality is a fact most important in itself. The inquisition it

> entails is a most serious disadvantage, and the frauds to which it leads are an evil which it is not possible to characterize in terms too strong."

It was to be hoped the right hon. Gentleman still entertained the opinions which he then so strongly expressed. A tax which was essentially a war tax ought surely to cease in a time of profound peace. The dread of a French invasion, which gave a sort of *quasi* sanction to the continuance of the tax, he held to be most absurd. The tax ought to be considered purely on its own merits, and he did not think it ought to be continued at a time when this country was at peace.

SIR HENRY WILLOUGHBY said, as the House had passed the Resolution upon which the Bill was founded, he should not reopen the question of the propriety of the proposed increase. He was inclined to believe that if there had been greater care in the expenditure of public money in past years, there would have been no necessity for the proposed increase. The repeated changes of Government that had occurred of late years had rendered it impossible for them to act upon any fixed system. As soon as a good navy had been established the ships were paid off, and then immediately afterwards it became necessary to collect them together again. The only question which he intended to raise was whether in cases where there was no income there should nevertheless be taxation. In other words, he wished to ask whether in cases where there was only an income for one-half or three-quarters of the financial year, it was to be enacted that the full amount of tax for the whole year should be levied.

COLONEL SYKES said, he thought the hon. Gentleman exercised a sound discretion in not pressing his Motion on the present occasion. He hoped and trusted, however, that this tax would be reserved for time of war, and not be made a permanent source of the income of the country.

MR. SPOONER said, he wished to call the attention of the Chancellor of the Exchequer to one or two cases of hardships, which had come under his own notice as a Commissioner, in order that he might consider whether he could not frame some provision to deal with them in future. In one case a small tradesman returned his property at £80 per annum, which was not sufficient to render him liable to the income-tax; but his wife was possessed of a separate income of £40 a year, which was vested in trustees for her sole benefit. The surveyor added the wife's income to that of the husband, and required payment of the tax upon the whole. The man appealed, and he (Mr. Spooner), as a commissioner, allowed the appeal, as he did not think the husband should be made liable upon an income over which he had no more control than a stranger. He had been however since informed by high financial authority that he was wrong, and that there was a clause in the existing Act which justified the surveyor in reckoning the two incomes as one for the purpose of taxation. In another class of cases injustice was done because there was inequality. There were certain men employed by railway companies called firemen, who required for the performance of their night duties a particular dress. Some companies furnished their firemen with those dresses, but others required their men to procure them, and then repaid the cost. In the latter cases the surveyors had considered the allowance for the dress, which was absolutely necessary for the performance of their duties, as a portion of their income, and levied the tax accordingly. That was a view in which he (Mr. Spooner) did not concur, and in calling the attention of the Chancellor of the Exchequer to the subject he suggested that clauses might be introduced into the present Bill which would remedy the injustice.

MR. BENTINCK remarked that he had not been at all surprised to find that the Chancellor of the Exchequer, who had always been a strong opponent of the income tax, should have had recourse to an increase of that tax as a means of meeting a deficiency. The right hon. Gentleman had been equally unfortunate on former occasions. A few years since the right hon. Gentleman was a member of a Government which attempted to carry on a great war with a peace establishment. Every one was aware of the unhappy consequences that ensued from that attempt, for the subsequent great amount of blood shed and lost was attributable to the want of energetic measures at the commencement of the war. The right hon. Gentleman now in a time of assumed peace came forward to impose a war tax. If, however, the country was to be called upon to pay a war tax he hoped the national defences would be placed in such a condition as to justify the expenditure.

THE CHANCELLOR OF THE EXCHEQUER said, he agreed that it was the right—nay, even the duty and obligation of hon. Members of that House to ascertain when money was granted for the public service that it was applied properly to that end. It was true that this was a war tax; that the proposition was to increase largely for a time the income tax, but the hon. Gentleman who spoke last should have availed himself of the proper opportunity when the Estimates were before the House to ascertain whether the public money had been properly applied. It was hardly a subject to be discussed upon the question of going into Committee upon the Income-tax Bill. He also begged to correct the hon. Gentleman's recollection upon a point which, being merely a matter of opinion, the hon. Gentleman had stated as decidedly as though it were a mathematical proposition incapable of contradiction. That proposition was that the Government of 1853 carried on the Russian war with a peace establishment, the consequence of which was great loss of life and the necessity for greater subsequent exertions in the prosecution of the war. He did not know how the hon. Gentleman had been able to recollect such a state of things, but he (the Chancellor of the Exchequer) did not remember it; he denied it, and challenged proof. The charge was an attempt to carry on war with a peace establishment, but he would confute the hon. Gentleman out of his own mouth. The hon. Member said the income tax was a war tax, and surely he would admit that doubling that tax was something like a war measure. That course was recommended by the Government of the day on account of the Russian war, and was to be found recorded among the proceedings of the House — a more trustworthy source of information than the hon. Gentleman's recollection. So far was it from being a fact that the Government of that day were remiss in the early stages of military operations, that their real fault was attempting too much and attempting it too rapidly. Passing, however, from that subject, and addressing himself to the remarks of the hon. Member for North Warwickshire, he must say that in the case of a man having £80 a year income, and his wife receiving a separate income of £40, the husband was properly charged with the tax, as whenever that money came into the hands of the wife he and she in common had a beneficial interest in it. He could not undertake to frame any clause to relieve a husband in such a case, as it was impossible for the law to draw a distinction between husband and wife. The other matter referred to by the hon. Member—the case of the railway firemen who were allowed certain sums to procure clothing absolutely necessary for them in their occupation—was of a different character. One of the objections to and difficulties attendant upon an income tax was that it introduced inequalities in its operation, and particularly when it came to deal with a certain class of persons. The law took no cogizance of payments in kind, so that in the case of a highly paid servant receiving £60 or £70 a year wages, and also board and lodging equivalent to another £60 or £70, he was not liable to the tax. That was an unavoidable inequality, but he might remind the hon. Member that in 1853 there was for the first time a clause introduced into the Income-tax Act to provide for extreme cases, and to take into account outgoings which were absolutely necessary to enable a person to carry on his business. He would, therefore, recommend the hon. Member to examine this clause and to bring the case of this fireman under the consideration of the Board of Inland Revenue. With respect to the Amendment, of which notice had been given by the hon. Member for Reading (Mr. Pigott) he was glad to find that it was not to be pressed. No practical advantage could result from so doing, as it was impossible at present to enter fully upon a discussion of the vast subject of the income tax. The subject had assumed a new position since 1853, partly through new legislation by that House, and partly from the very great change in our expenditure, a great portion of which was doubtless referable to the real necessities of the country, but a portion of which was undoubtedly due to the difference of views which had prevailed in the public mind, and which had affected public opinion as to the scale of the national expenditure. The hon. Member for Reading had appealed to him as to his present opinions upon the subject of this tax. It was not in his power, either as an individual or a Minister, to determine the scale of expenditure of the country; but if the hon. Gentleman wished to know whether he (the Chancellor of the Exchequer) retained his former opinion that it was undesirable to keep the income tax as a permanent source of revenue, presuming that it could at any time be dispensed with, he begged to say that he adhered to his former opinion.

MR. HENLEY said, one provision of the Bill would act very hard on the class of tenant farmers leaving their farms at Michaelmas. He hoped the right hon. Gentleman would make some provision that the tax should be paid, in part at least, by his successor.

House in Committee.

Clause 1,

THE CHANCELLOR OF THE EXCHEQUER said, that in reply to the right hon. Member for Oxfordshire (Mr. Henley) he had to state that he did not intend to introduce any Amendment to meet the case of persons quitting their farms at Michaelmas. As he had before stated, the Government was practically and substantially asking Parliament to tax people at the rate of 4*d.* in the pound on their annual incomes for the first half of the year, and the man who had been in possession of the farm during the first six months of the year was the person who, according to the principle of the Bill, should pay the additional tax about to be imposed.

MR. BENTINCK said, that to put himself right he wished to explain that what he had stated was that the Government of which the Chancellor of the Exchequer was formerly a member had attempted to carry on war not with peace taxation, but with a peace establishment—quite a different thing. The observations of the right hon. Gentleman, therefore, were without weight upon that subject.

MR. HENLEY said, that in order to record his opinion upon the point he had raised, he would move as an Amendment that after the word "respectively" in the first clause the words "except schedule B" be added. He should not divide upon it, as he knew the Government would carry their view.

SIR HENRY WILLOUGHBY said, he wished to know whether the increased tax was to apply to Long Annuities ceasing next January. Did the Chancellor of the Exchequer mean to make the tax retrospective; that the dividends paid in April and July should be retrospectively taxed?

Amendment put, and *negatived.*

Clause *agreed to.*

Clause 2.

THE CHANCELLOR OF THE EXCHEQUER, in reply to the question of the hon. Member for Evesham (Sir Henry Willoughby) said, he could not imagine what there was in the Bill or the statement which he had made to lead to the idea that the tax was to have a retrospective effect. It had nothing to do with past income, except in the circuitous and equivocal sense that, as the income tax took cognizance of an average of former years under schedule B, it might be said to refer back to past income. The House was not now discussing the general principle whether annuitants should be taxed alike, whether terminable or in perpetuity. It was asked whether he did not seek to tax the Long Annuities ceasing in January next for a whole year. His answer was simple. The tax had nothing to do with the whole year—absolutely nothing. In Schedule C it had nothing to do with any period, but the half-year which yielded the profit to the annuitant on the 10th of October, and the dividend would be taxed at 8*d.* in the pound, corresponding with 4*d.* in the pound for the whole year. No doubt, it was a heavy tax upon the long annuitant, because the dividend represented in some degree a repayment of capital, but there were annuitants for shorter periods, life annuitants who might die the day after the Bill passed, and whose representatives would have to pay the 8*d.* upon the next dividends received by them.

SIR HENRY WILLOUGHBY said, it appeared to him that the proposal in time of peace to tax an annuitant for a whole year, although his interest would expire in January, was so unjust that he must take the sense of the Committee upon it.

Amendment proposed,—

"At the end of the Clause, to add the words 'except always that where any dividend or interest expires on the tenth day of October, one thousand eight hundred and fifty-nine, the additional rate of four pence only on every pound of such dividend or interest shall be charged, collected, and paid upon the first assessment or charge which shall be hereafter made; and that where any dividend or interest expires on the fifth day of January, one thousand eight hundred and sixty, the additional rate of four pence only on every pound of dividend or interest on the first assessment on the tenth of October one thousand eight hundred and fifty-nine, and the additional rate of two pence only on every pound of dividend or interest on the second assessment on January fifth, one thousand eight hundred and sixty.'"

MR. PIGOTT said, he quite agreed with the hon. Baronet that the pressure imposed by the Bill upon the annuitant would be unfair.

MR. HOWES remarked that, as there were many unjust points connected with the income tax, it would be better not to attempt on the present occasion to remove merely one.

COLONEL SYKES said, that though the income tax bore hardly in some cases, yet, as the money was wanted, it must be obtained, and the House must submit for the present to the income tax as it stood.

Question put, "That those words be there added."

The Committee *divided*:—Ayes 37; Noes 72: Majority 35.

Clause *agreed to.*

Clause 3.

MR. W. WILLIAMS said, he wished to ask how much additional would have to be paid by persons having less than £150 a year.

THE CHANCELLOR OF THE EXCHEQUER said that persons having incomes of £100 to £150 a year would only be liable to pay *3d.* in lieu of *4d.*, and 1½*d.* in lieu of *2d.* The proportion paid by this class would be something smaller than it had ever yet been. Hitherto it had been about two-thirds of the rate paid by those having £150 a year; in future it would be something less than two-thirds.

Clause *agreed to.*

Clause 4.

MR. WALPOLE said, that with reference to one of the cases put by the hon. Member for North Warwickshire, the matter turned on a point of law, involving an important principle. The husband received £80 a year, and his wife £40; but if the husband had no control whatever over the wife's income, he ought not to be assessed to the income-tax at all.

THE CHANCELLOR OF THE EXCHEQUER observed, that he had not ventured to give an opinion on the point of law, and had only spoken of the principle which ought to be adopted in legislation. He confessed that, with respect to legislation and liability to the tax, nothing seemed more reasonable than to contemplate the incomes of husband and wife as one income.

MR. SPOONER said, that, as a local Commissioner, he should continue to act on the view he had taken—that the husband had no control over the wife's separate income. As there was no appeal from the decision of the Commissioners, it was desirable that the law should be made clear.

MR. EDWIN JAMES observed, that if the husband having £80 a year, and the wife having £40 a year, lived together and enjoyed the joint income together as husband and wife, then the husband would be properly assessed. If, however, the husband and wife were living entirely apart, and maintaining different establishments, then the husband would not be assessable on account of the wife's income.

Clause *agreed to,* as was also Clause 5.

Clause 6 (Limiting the Payment of Malt duties from Eighteen to Twelve weeks).

MR. BEALE said, he would suggest that that this duty should be made payable as soon as levied, the same as other duties. He would reduce the existing arrears by requiring payment of them by instalments of one-eighth every three months, so as to let them die out in two years.

THE CHANCELLOR OF THE EXCHEQUER said, he would thank the hon. Gentleman for his suggestion. The Government having had to submit their financial proposals immediately after coming into office, and at a period when the financial year was considerably advanced, had not thought it desirable to make any sudden alteration in the malt credit. This credit was equivalent to a loan of 2½ millions of public money to those engaged in the trade; and no precipitate alteration could be made without seriously affecting the trade. The mode in which this credit could best be dealt with would be matter of future consideration for the Government.

Clause *agreed to,* as was also Clause 7.

THE CHANCELLOR OF THE EXCHEQUER said, he wished to move the insertion of a clause extending to deferred annuities purchased from the Government, the allowances made, under the Act of 1853, in respect of deferred annuities purchased from insurance companies. It was only by an oversight the provision he now proposed had been omitted from the Act of 1853.

Clause added to the Bill.

House resumed.

Bill *reported,* as amended.

SUPPLY.—CIVIL SERVICE ESTIMATES.

Order for Committee read.

House in Committee.

Mr. MASSEY in the chair.

(In the Committee.)

The following Votes were then *agreed to*:—

(1.) £500, Rotunda Lying-in Hospital, Dublin.

(2.) £100, Coombe Lying-in Hospital, Dublin.

(3.) £5,600, House of Industry, Dublin.

(4.) £1,500, House of Recovery, Dublin.

(5.) £400, Meath Hospital, Dublin.

(6.) £50, Saint Mark's Ophthalmic Hospital, Dublin.

(7.) £950, Doctor Steevens' Hospital, Dublin.

(8.) £165, Board of Superintendence of Hospitals, Dublin.

(9.) £5,931, Concordatum Fund.

Mr. W. WILLIAMS observed that some items in the Vote were anything but charitable items. No doubt many of the persons mentioned in the Estimates, such as lunatics and paupers, ought to be maintained, but they should be maintained, as in England, out of the county cess, and not out of the general taxation of the country.

Mr. RIDLEY said, he thought that it might properly be a subject for inquiry by the Lunacy Commission whether or not the sums appropriated in the Estimate for lunatic idiots should be paid out of the public Exchequer.

Vote *agreed to.*

(10.) Motion made, and Question proposed,—

"That a sum, not exceeding £29,193, be granted to Her Majesty, to complete the sum necessary to defray the Expense of Non-conforming, Seceding, and Protestant Dissenting Ministers in Ireland, to the 31st day of March, 1860."

Mr. BAXTER said, there had been no occassion during the last twenty years on which this Vote had been taken without a division, and he did not intend that the present should form an exception to the rule. Next Session he intended to submit to the House a formal Resolution, which he hoped would have the effect of getting rid of this annual discussion, by providing that the payments should cease as the clergymen died out; he should on the present occasion address only a few observations to the Committee. In opposing this Vote he was not actuated by any hostile feeling towards the Presbyterian Synod of Ulster, for, being a Nonconformist himself, he should be the last man to entertain a hostile feeling towards them. He belived that, however, they never would have peace in the House or in the country until every one of those annual grants for religious purposes were removed from the Estimates. Many of these grants were to rich bodies, who ought to be ashamed to come begging to the House for these small sums. The clergy for whom the Vote was intended were no doubt many of them most estimable men, and had rendered great services to the people of the districts in which they were located; but inasmuch as no such grant was voted by that House for the Nonconforming clergy in England or Scotland, he did not see why a different rule should prevail with regard to Ireland. He could understand the principle which was acted upon in England and Scotland, where the English Church and the Presbyterian Church were established, but he could not understand the principle acted upon in Ireland, where, though the English Episcopal Church was established, subsidies were given to Unitarian and Trinitarian Dissenters in Ulster, while many other sects received no subsidy whatever. No one could read the history of the *Regium Donum* without coming to the conclusion that it was given as a reward for political services. This was plain from the fact that at first the grant was included in the amount voted for secret service money. A Presbyterian clergyman had declared that the effect of the grant on that body had been to render them the most beggarly sect in all Christendom. In one Presbyterian church in Ulster which enjoyed the grant the whole amount raised for all charitable purposes was only £27. How different was the case in Scotland. The Free Church in that country was now raising a million and a half a year. In order to take the sense of the Committee, he would move a reduction of the Vote by a sum of £69 4*s.* 8*d.*, the amount of the increase over the Estimate of last year.

Mr. LABOUCHERE said, that the hon. Member thought the present Vote was not justified by principle, but it was difficult to reconcile the whole ecclesiastical state of Ireland with any principle. The Established Church in Ireland was the church of the small minority of the people. The religion of the great majority was the Roman Catholic. The people of this latter persuasion received from the State nothing but the grant to Maynooth, which he thought a very parsimonious one. The Vote before the Committee, however, might safely be defended on the ground of public policy. He had not heard that the Presbyterians of the north of Ireland had expressed any wish that this grant should be withdrawn. They were a most exemplary body of men, and every one acquainted with the north of Ireland knew how much that part of the country was indebted to them for peace and harmony, while other parts of the country had been in an unquiet state. Putting it on the lowest ground, therefore, and reckoning what expenditure these men had saved in police and troops, the money could not be said to be badly disposed of.

Mr. DAWSON said, he was in favour of the continuance of the grant. It would be most unjust, after the lapse of a century and a half, to withdraw a grant which had been sanctioned for so long a period, and which really was the result of a compact entered into by our ancestors. He contended that the condition of Presbyterian ministers in Ireland was a compromise between the voluntary and State systems, the clergy being paid partly by their congregations and partly by the State. The same system prevailed under the Mosaic dispensation. It was an arrangement that had worked well, and had not been complained of by any party in Ireland. Even the Roman Catholics approved of it. The hon. Member for Montrose (Mr. Baxter) had compared the position of the Presbyterians of Ireland, who he said were a wealthy body, with that of the Free Church of Scotland; but the parallel did not apply. The Presbyterians of Ireland were not rich, they were comparatively poor, being mostly engaged in agriculture,—not wealthy manufacturers, like the members of the Free Church of Scotland. The increase which had taken place in the grant from time to time was a proof of the advancement of the Irish Presbyterians in intellectual worth and piety, and the amount which was sufficient in 1803 would be quite inadequate to the wants of the present day. He might remark that the religious movement which was now going on in the north of Ireland was chiefly maintained by the Presbyterian clergy, and must be regarded as a healthy sign of moral advancement. He would only add that, in justice to the numbers and respectability of the Presbyterian body, this grant ought not only not to be withdrawn, but it should be largely increased, and might properly be placed as a permanent charge upon the Consolidated Fund.

MR. CARDWELL said, that as he understood the hon. Member for Montrose meant to raise the question in a fuller House next Session, he should then be prepared to reurge the reason why he thought the Vote should be maintained. He thought, that being the case, it would be advisable for the Committee not further to discuss the question on the present occasion.

MR. SPOONER denied that it rested on the same ground as a grant the Maynooth. The two cases were altogether different. He had always protested, and continued to protest, against the Maynooth grant, because he believed that in granting it, they were doing that which was contrary to the Word of God, and in complete opposition to the oath taken by the Sovereign of the country. He held that while they maintained that grant they acted with perfect inconsistency in requiring from the Sovereign an oath that she should maintain the Established Church in all its integrity, that Church teaching that the doctrines of the Roman Catholic Church contained dangerous deceits and blasphemous fables, and the Liturgy of the Established Church declared that the celebration of the mass was idolatrous, and ought to be abhorred by all men. A notice of his intention to bring on the subject of Maynooth had stood on the books at the time of the dissolution of Parliament; but when the new Parliament assembled, considering the great pressure of most important business, and the near approach of the usual termination of the Session, he thought it better not to endeavour to bring the question before what at that season of the year would have certainly been an unwilling house; but if God spared him his life till next Session, he should renew his Motion for the discontinuance of the grant to that establishment.

MR. BLACK said, it was the essential principle of persecution to make grants in support of one set of views and refuse them to another. This grant, which went to a mere handful of Dissenters, had gone on increasing for the last ten years. It was now close upon £40,000; while to the whole of the Roman Catholic body in Ireland a grant of only £60,000 was made. He wished to see the whole of these grants taken up as a substantial question, and he hoped that they would all be done away with.

LORD NAAS said, he would suggest that the hon. Member for Montrose should next year call attention to the whole subject of religious grants. They would then have the matter decided upon principle, and be spared these annual attacks upon particular items.

SIR JOHN SHELLEY said, he had always voted against these grants, and should do so on the present occasion.

SIR FREDERICK HEYGATE said, this was a poor man's question. If this grant were withdrawn there would be no means of paying the clergy. He knew of cases in the north of Ireland where the clergy were obliged to practise agriculture.

MR. LEFROY defended the grant, on the ground of the respectability of the recipients and the purity of their doctrines.

Motion made, and Question put,—

"That the item '£69 4*s*. 8*d*. for New Ministers (1 at £69 4*s*. 8*d*.)' be omitted from the proposed Vote."

The Committee *divided:* — Ayes 40; Noes 126: Majority 86.

Original Question put, and *agreed to.*

Motion made, and Question proposed,—

"That a sum, not exceeding £3,965, be granted to Her Majesty, to complete the sum necessary to pay the Salaries and Expenses of the Office in London under the Local Government Act, to the 31st day of March, 1860."

MR. W. WILLIAMS said, he must complain of the increase in the Estimates under the head No. 7. In 1843 those items amounted to £90,000; they were now £1,028,236. He denied the necessity for such an expenditure in the dilapidated state of our finances. It was said these Votes were prepared by the late Government. If so, he hoped they would explain them.

MR. LAING said, that the general sum had been divided into items, of which the present Vote was one, for the convenience of the House.

LORD JOHN MANNERS said, that speaking generally and from a cursory examination of the Estimates, if he had been still at the Head of the Department of Works he should have recommended the principal sums which he saw down in the Votes in connection with that department.

MR. PALK said, he thought the expenses of the London Office which had been established under the Local Government Act should be diminished, there being nothing for it to do. He could not see what good it did for the £5,965 a year which it cost. There was a charge of £600 travelling expenses, but, having conferred local government upon towns, there was no need of sending inspectors from London. In fact, these latter gentlemen did more harm than good.

MR. LAING said, the Vote had been the result of an Act passed last year, after considerable discussion, abolishing the Board of Health, but retaining certain machinery of that Board which was deemed to be useful to the public. The offices were by no means sinecures, their holders being fully employed.

MR. EDWIN JAMES said, he quite concurred with the hon. Member (Mr. Palk) in thinking that the operations of the inspectors of the Board of Health had been attended with most mischievous results. Indeed, he was surprised at the smallness of the Vote, as he expected to have found some items which were not there. He was engaged upon a trial at Chelmsford, where a verdict was given against an inspector for fouling a stream, and the costs and damages must have been £1,000. He wanted to know who paid that money? At Hitchin a verdict, with £400 damages, was given against the inspector for fouling a stream; and at Croydon another inspector had turned the whole sewage of the town into the Wandle, and caused a typhoid fever to break out. It was an important question whether those gentlemen who caused the mischief paid the damages and costs, for there was no mention of such payment in the Vote.

MR. LAING said, that the late Board of Health was dead and buried. He could not give any information on the subject of the damages referred to by the hon. and learned Gentleman the Member for Marylebone.

MR. W. WILLIAMS said, he thought there must be another Board of Health, as Dr. Simon received a salary of £1,500 a year, which was not included in this Vote.

MR. A. SMITH suggested, that as the present Secretary to the Treasury knew nothing of the subject referred to by the hon. and learned Member for Marylebone (Mr. Edwin James) perhaps the late Secretary could give them some information.

SIR STAFFORD NORTHCOTE said, he had no general knowledge of those Estimates, as they had not come before him when Secretary to the Treasury. He had never heard of the damages referred to by the hon. and learned Member. If they had been paid out of the public funds, he presumed they would appear in the Estimates under the head of "Civil Contingencies."

SIR GEORGE PECHELL remarked, that no saving had been effected by the abolition of the Board of Health.

SIR JOHN SHELLEY said, it appeared these damages and costs amounted to some £5,000, and he should like to know who paid them?

MR. LAING said, that no demand had been made on the Treasury; he presumed, therefore, that the damages had been defrayed by the local boards concerned.

MR. PALK said, it was desirable that the Vote should be postponed until the hon. Gentleman the Secretary to the Treasury had acquired some further information in respect of it. He found some inspectors were paid £2,000 a year. He should like to know who they were. Again, there was a sum of £600 charged for "travelling and personal expenses," and £1,000 for "clerks." He should really like to have some information as to these items.

Mr. CARDWELL said, that the Act of last Session had empowered the Home Secretary to send down inspectors to make inquiry where local improvements were contemplated; and upon their Report the Home Secretary gave power to the municipality to carry out the improvements proposed. A Bill was in course of preparation which would, to some extent, modify the provisions of this Act.

Mr. DEEDES said, he also would urge the postponement of the Vote.

Mr. LAING said, that in deference to the wish of the House, he would consent to postpone the Vote till the evening sitting.

Motion, by leave, *withdrawn.*

(11.) Motion made, and Question proposed,—

> "That a sum, not exceeding £3,588, be granted to Her Majesty, to defray a portion of the Expenses of the Ecclesiastical Commissioners for England, to the 31st day of March, 1860."

Mr. W. WILLIAMS said, he must also object to this Vote. He should like to know on what principle of morality or Christianity the Church of England could call upon the Roman Catholics and Dissenters to pay a portion of the expenses of a Commission which had been established entirely for the benefit of that Church, and which had been productive to it of very great pecuniary benefit.

Mr. PEASE said, he could bear testimony to the business-like and equitable manner in which the Commissioners attended to their affairs, but as he found that by the last report there had been for the year a surplus of £57,000, he could not understand why the Commission should not pay its own way.

Mr. DANBY SEYMOUR observed that as a member of the Church of England he really was ashamed of calling on Roman Catholics and Dissenters to pay this Vote.

Mr. WALPOLE said, that the Ecclesiastical Commission was founded not merely for the benefit of the Church, but also for the benefit of the Church lessees. By means of the powers vested in them, they had been enabled so to deal with the Church property as to obtain a surplus, which was applied, in conjunction with grants from benevolent persons, for the benefit of smaller livings of £40, £50, or £60 a year. In addition to this, the Commission had dealt with lessees' property, and the lessees never would have got the advantages they had obtained had it not been for the operation of the Ecclesiastical Commission. Therefore, the Commission being founded at the instance of Parliament not only for Church purposes, but for other purposes it had always been thought reasonable, down to the present period, that the annual Estimates of the year should bear a portion of the expenses of the Commission.

Mr. A. SMITH said, he thought that what had fallen from the right hon. Gentleman proved that the Commission had the means to take, and, therefore, ought to take the whole cost upon itself.

Mr. DEEDES said, there were works going on at present under the Commission in which the public were as much interested as in the operation of the Tithe Commutation Act. It mattered not to the Commissioners how these charges were defrayed. The amount applicable to the augmentation of small livings was on the increase; and he hoped that a sum of £200,000 would soon be thus applicable. The sum now asked did not nearly cover the expenses of the Commission, but it was the sum which Parliament had been accustomed to pay.

Mr. EDWIN JAMES said, that with a surplus income of £50,000 the Commissioners certainly ought to pay their own expenses. These funds, though applied to augment small livings, were properly applied to the interests of the Church and the clergy.

Mr. W. WILLIAMS said, he should be glad to know why the salary of the Chief Commissioner, £1,000, was paid out of the Church funds, and the salary of the Secretary, also £1,000, was included in this Estimate.

Question put,

The Committee *divided:*—Ayes 82; Noes 72: Majority 10.

Vote *agreed to.*

(12.) £11,695, Charity Commission.

Mr. DARBY GRIFFITH said, that a report from this Commission ought to be made to the House, and then hon. Members might object to any of the schemes proposed by the Commissioners. At present their responsibility was frittered away, and rested nowhere. Large charities were daily disposed of, without any check. The course was that the Commissioners issued a certificate, which was confirmed as a matter of course by one of the secondary Courts of Chancery without further inquiry. In this way there was a divided authority without sufficient responsibility. If the charity Commissioners were referred to, and told that their certificate was final, they would say it was not; and, on the other hand, the Master of the Rolls or the Vice Chancellor felt that the duty of inquiry, and consequently the responsibility, rested with the Commissioners. In addition to this, persons in the locality who disapproved of the decision of the Commissioners had no means of appealing unless at their own expense. It would be much more satisfactory to have the cases reported to Parliament, before the Commissioners decided, instead of after. He might instance the case of the Bristol charities, where the decision of the Commissioners had been in direct opposition to the wish of the inhabitants. It was not a satisfactory arrangement that the solicitor to the Attorney and Soliciter General, and the solicitor to the Charity Commissioners, was one and the same person. He would suggest that a Bill should be brought in applying to all large charities.

Vote *agreed to.*

On the Vote of £26,275, to make up the sum required for Temporary Commissions.

MR. DANBY SEYMOUR said, he wished to refer to the item of £750, for the West India Encumbered Estates Commission. Considering the benefits the West Indies derived from that Commission, he thought they ought to pay for it themselves. This was the principle that governed the Encumbered Estates Court Commission in Ireland, and he thought it ought to have a general application. He wished to know, too, how long the Decimal Coinage Commission was to go on. The Secretary stated in a letter of the 7th of February that the Commissioners had completed the taking of evidence, and expressed a hope that the final report would shortly be laid before her Majesty. The Commission appeared now to consist only of the Secretary and Assistant Secretary, and he did not see why their salaries should be paid for the whole year.

MR. CAVE said, that since the West India Incumbered Commission had been founded few purchasers could be obtained for the deteriorated property, but he had no doubt that, when in course of time purchasers presented themselves and the West Indies began to feel the benefit of the Commission, the fees received would pay its expenses.

MR. LAING said, he could inform the hon. Member for Poole (Mr. Danby Seymour) that the Decimal Coinage Commission was considered as terminated.

Mr. D. Griffith

MR. DANBY SEYMOUR: But are they to be paid for the whole year, when their labours are already completed?

MR. LAING said, there were some unpaid expenses included in the Vote.

MR. SPOONER said, the Committee ought to know whether this Vote was for work already done, or did it refer to the current year.

COLONEL SYKES said, that nearly a million of money had been spent in the last few years on Commissions appointed offhand by that House.

It being now within ten minutes of Four o'clock, the House resumed.

Resolutions to be reported on *Monday.*

ASHBURTON ELECTION.

House informed, that the Committee had determined,—

"That John Harvey Astell, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Ashburton.

"And the said Determinations was ordered to be entered in the Journals of this House.

"Report to lie on the Table."

GLOUCESTER (CITY) ELECTION.

House informed, that the Committee had determined,—

"That William Philip Price, esquire, is not duly elected a Citizen to serve in this present Parliament for the City of Gloucester.

"That Charles James Monk, esquire, is not duly elected a citizen to serve in this present Parliament for the City of Gloucester.

"That the last Election for the said City is a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House."

WAKEFIELD ELECTION.

QUESTION.

COLONEL SMYTH said, he wished to inquire whether it is the intention of the Committee who investigated the Petition against the return for this Borough to take any ulterior steps in the matter?

MR. MONSELL said, he had moved that the Report of the proceedings be laid on the table of the House; and he thought it would be premature in him to express an opinion until the House should have had an opportunity of considering the evidence given before that Committee.

GAS IN BARRACKS.

QUESTION.

MR. BRADY said, he rose to ask the Secretary of State for War, whether it be the intention of the Government to adopt Gas in lieu of the present mode of lighting the Military Camp at Aldershot; and, if so, will the Government construct their own works.

Mr. SIDNEY HERBERT said, it was the intention of the Government next year to introduce gas into barracks, and to construct works for that purpose; but they did not intend to introduce gas into the camp.

PLURALITY OF OFFICES—CAPTAIN BENNETT.—QUESTION.

In reply to Mr. Brady,

Mr. CHICHESTER FORTESCUE said, it was quite true that Captain Bennett, the Emigration agent in Glasgow, had been for some time at Aldershot, but not for twelve months. There was an efficient substitute at Glasgow, and the public had not suffered. However, as there was some irregularity in the matter, it had been intimated to Captain Bennett that he would be called on to choose between the two offices.

On Motion for adjournment till Monday,

IRON COVERING OF SHIPS.

QUESTION.

Sir JOHN PAKINGTON said, he wished to ask the Secretary to the Admiralty what progress has been made with the experiments of the effects of Artillery on metal casing of ships which were directed by the late Board of Admiralty; and what steps it is intended to take for the fulfilment of the intentions of the late Board to order the construction of a second man of war covered with iron?

Lord CLARENCE PAGET said, he was sorry to say that some delay had occurred in carrying out the experiments, owing to a delay in the execution of the order by the firm who had to construct the plates of various sorts. But they would be proceeded with immediately. As to the second question, he could only reply that a second man of war covered with iron would not be constructed till the result of the experiment in the first case had been brought to a conclusion.

Sir JOHN PAKINGTON said, he would further ask whether the Admiralty intended to experiment on sailing vessels.

Lord CLARENCE PAGET said, this would depend upon the result of the experiments first spoken of.

AFFAIRS OF ITALY.—QUESTION.

Mr. SCULLY said, he would beg to ask the First Lord of the Treasury whether the Sovereign of the Roman States has finally accepted or declined the position of President over the Confederate States of Italy; and whether, in the event of the Sovereign Pontiff accepting that office, it is intended on the part of Her Majesty's Government to adopt effectual steps for establishing direct diplomatic relations with the Court of Rome?

Viscount PALMERSTON said, that, as he would not be able to speak twice on the Motion before the Chair, he would delay his answer.

THE ENCLOSURE IN HYDE PARK.

QUESTION.

Mr. W. EWART said, he wished to ask the First Commissioner of Works whether there is any prospect that the large space near the middle of Hyde Park recently enclosed with iron railings, so as to exclude the public, would be restored for the use and recreation of the public.

Mr. FITZROY said, he was afraid he could give no more satisfactory answer to the question now than he gave when it was put to him on a former occasion. Some two years ago great objection was made to giving the cows in the park unrestricted liberty of roaming over the ground, and the cows were consequently removed to an enclosure, and sheep were substituted in their place. The alteration was made to meet the convenience of the public; and if the public wished to again give the cows the range of the whole park, instead of confining them to their present restricted area, he thought the old system must be reverted to.

LANDED ESTATES COURT (IRELAND.)

QUESTION.

Mr. DARBY GRIFFITH said, he rose to ask the Chief Secretary for Ireland whether a Memorial has been received from Mr. Wrenfordsley, Solicitor, of Dublin, applying for compensation, on the plea of having suggested that the Landed Estates Court in Ireland should be made self-supporting; and whether it is the intention of the Irish Government to recommend such claim to the Treasury for consideration.

Mr. VANCE said, he was of opinion that Mr. Wrenfordsley was entitled to some compensation for the pains which he had taken in bringing forward a plan for making the Landed Estates Court self-supporting, and he would express a hope that the right hon. Gentleman the Irish Secretary would be prepared to introduce a measure for carrying that plan into effect next Session.

Mr. CARDWELL said, that the Gentleman had not done him the honour of making an application to him, and he could not, therefore, say anything about the matter.

REDUCTION OF NAVAL ARMAMENTS.

QUESTION.

Mr. BENTINCK said, he rose to ask the First Lord of the Treasury whether there is any intention on the part of Her Majesty's Government to reduce the Naval Armament of the Country. The question involved considerations of such importance that he should beg the indulgence of the House for a few moments while he stated the grounds upon which he was induced to put it at that particular period. He would admit at the outset that the question was suggested solely by public rumour, but the subject affected so closely not only the honour and the interests, but the very existence of this country as a nation, that he was sure it would be received as more than a sufficient reason for the course he had adopted, and an ample justification for his pressing for a clear and conclusive answer on the part of the Government. He trusted that those who had done him the honour of noticing his conduct in that House would acquit him of being influenced by party motives. He could assure the House that he entertained no such feelings; but he could not ignore the history of the past; he could not forget that a very few years ago, at the outbreak of the Crimean war, they had in office what was called a coalition Government. The noble Lord at the head of the present Government and the noble Lord the Secretary for Foreign Affairs both held influential positions in that Government, and the Chancellor of the Exchequer of that day was again Chancellor of the Exchequer in the present day. In short, the existing Government was of the same composite order as that which so unfortunately characterized the Government of the year 1854. The conduct of the Government in 1853, at the outbreak of the Crimean war, must be fresh in the recollection of almost every hon. Gentleman in the House. It would be remembered that the early stages of that war were attempted to be conducted upon a peace establishment. It would be also in the recollection of the House that the unfortunate course then pursued resulted in the loss of a large number of valuable lives and the wasteful expenditure of large sums of money, and when he remembered that the same influential names were to be found composing the present Government which had composed the Government at that time, it appeared to him to be a duty doubly imperative on the House to inquire what were the intentions of Her Majesty's Government, and what was the course they proposed to pursue with reference to the armament, and more especially the naval armament of the country. Since he had had the honour of putting his notice on the paper a fresh announcement had been made and circulated in the journals of the day, which appeared to give more importance to the question and make it still more necessary that his question should have a clear and distinct answer. It had been stated in the public journals, and he believed upon authority, that it was the intention of the Emperor of France to commence a system of disarmament, and the consequence of that announcement was that articles had been published congratulating the country upon now being able to reduce its immense expenses for naval and military purposes, and looking forward with hope to the advent of that millennium which everybody would like to see, but few were sanguine enough to expect. Now he contended that the fact, if it were a fact, that the French Government were about to reduce their armaments, was not only no reason for any reduction of the armaments of this country; but further than that, that be the reduction of the French military and naval armaments what it might, the duty of the English Government was to continue, irrespective of the conduct of the French, their endeavours to put our military and naval defences in a more efficient condition than they had yet attained. It was because we were told that the French Government were about to disarm, and that that was a ground for a reduction in the defences of this country, that he was the more inclined to press upon Her Majesty's Government the view he had ventured to put forward, and that we ought to proceed uninterruptedly with all possible energy and exertion to increase to the utmost of our power the efficiency of our defences.

He should like to put the case in this point of view to the House. Let them suppose for a moment that the Emperor of the French were to say to the Government of Her Majesty, "I am about to reduce my army by 100,000 men, and I call upon you in fairness to do the same." What would be the relative position of the two countries if his request were complied with? Why, the French would be left with an army of 500,000 men, whilst we should be left with nothing. That might be carrying the argument to an extreme, perhaps; but it was the only fair way of looking at the question. So far with reference to a reduction in military force; but the difference in the relative position of the two countries with reference to naval armaments was even more striking still. There was no parity or resemblance of any kind between the position of France and England with respect to the amount of naval armaments which they required for maintaining the honour and safety of the country. France had no demands on her navy for the defence of extensive colonies at a distance; and when we were told that the returns of the French navy amounted to so many ships of the line, and so many frigates and other craft, be that fleet what it might in point of numbers, it could only be for the purposes of home defence, or in the event of war breaking out, for foreign aggression, whereas this country must always have a large fleet for the defence of her numerous colonies and distant stations, besides what was necessary for her home defences, before she could dispense with a single ship. He would put it again that the Emperor of the French proposed a disarmament of the naval forces of the two countries; and let it be supposed for a moment that that suggestion was unfortunately acceded to: what would be our position then? Say that they each paid off the crews of twenty line-of-battle ships to-morrow; what then would be the relative position of the two countries? Why, just this: France could reassemble the whole of her men by a telegraphic order within forty-eight hours, and, in point of fact, it would be no disarmament at all; whereas when we paid off our men it would not only be a question of months, but almost of years, before we could by possibility obtain and drill the crews to such a state as that it might be said we had a really efficient navy for the defence of the country. He hoped, then, that Her Majesty's Government would never dream of consenting to any disarmament, on the part of this county, or to any reduction of our naval forces, especially on the ground that France had proposed or even commenced a naval disarmament. Such, he would repeat, was the construction of the French navy that in one sense it could not be disarmed. Whether the men were afloat or on shore, at Brest, Toulon, or Cherbourg, they were equally available in a few hours; whilst our men, once they were paid off, could not be collected together again; and if we followed out that policy, and proceeded on any ground whatever to disarm, we placed ourselves at the mercy of France, or of any other power whose navy was on the footing that the French Navy had been for many years past. There was another point to which he desired to refer, and on this point he would address himself in particular to the hon. Member for Birmingham (Mr. Bright) who played a distinguished part in the debates in that House as the champion —and properly so—of the commercial interests of the country. He would ask the hon. Member for Birmingham what was to become of our commercial interests if once we suffered ourselves to lose our pre-eminence on the seas? Was the hon. Member prepared to encourage the hope that the vast foreign commerce of England would continue to exist if we lost that maritime supremacy which we had enjoyed for years past, and which was the sole cause of our commercial superiority? The hon. Member shook his head; he (Mr. Bentinck) only trusted that, before the debate closed, he would be good enough to tell the House the ground upon which he hoped to see British commerce flourish without the existence of the British Navy. On a recent occasion they had heard it stated upon very high authority that Her Majesty's Government ought to suggest to the Government of the Emperor of the French a mutual disarmament. Now, he (Mr. Bentinck) was not one of those who would concur in sactioning such an appeal to the French Emperor, or, who believed that, however courteously worded, any appeal of the sort would have much effect upon his policy; but if he were correctly informed, and he believed it was the case, the suggestion adverted to had already been made. He had heard circumstances casually mentioned in the course of conversation, from which he concluded that the suggestion that Her Majesty's Government should propose to the Emperor of the French an immediate and mutual disarmament had been for some time since anticipated. He believed he was correctly informed that that suggestion had been made some months ago. There were few Gentlemen in that House who did not remember the fetes at Cherbourg. He understood that it was at that time that the suggestion was made, and that the Emperor, who, unlike many of his critics in this country, always exhibited the qualities of a high-bred and courteous gentleman, answered the suggestion with a smile, and in a few words said that he himself was perhaps the best judge of what was requisite in the way of military armament for the honour and well-being of France. He then went on to say, if he (Mr. Bentinck) was correctly informed, that, in his opinion, it was necessary for the welfare and honour of France that she should have fifty sail of the best screw line-of-battle ships—not ships like those which were then assembled at Cherbourg, many of which were of an inferior description—he meant fifty of the best modern screw line-of-battle ships that could be constructed; and, he added, that if he might venture to offer a suggestion to England, with regard to what was her policy, in his opinion it was her policy to have 100 line-of-battle ships of that description; and that that would be the best means of securing a firm and lasting peace between the two countries. He gave this story of course for what it was worth, but as he had said before he believed it to be true. At all events, whether it was true or not, the policy of the Emperor of the French had been in strict accordance with the views which he was supposed to have expressed on the occasion to which he had alluded, and he (Mr. Bentinck) was prepared to maintain that nothing could be so fatal to the interest of this country, or so alarming to every Englishman, as the rumoured intention of Her Majesty's Government to relax their exertions in strenghening our naval defences. He had, therefore, given notice of the question in the shape in which it stood on the paper, and had prefaced it with these remarks in order to induce other hon. Members more influential than himself to give him their support in eliciting from the noble Viscount a clear and distinct answer as to what were the intentions of the Government respecting the naval armaments of this country.

Mr. CONINGHAM said, that before the noble Viscount rose to reply he would beg leave to suggest that one of the best means of protecting the interests of this great constitutional empire would be by the establishment of a liberal and constitutional Government in the North of Italy. It was impossible for England to isolate herself from the great federation of European nations, and it was the bounden duty of Her Majesty's Ministers to take every opportunity of urging upon other contries the establishment of those liberal forms of government in Northern Italy which be believed would tend to promote the alliance between France and England, and would form the surest pledge for the future peace of Europe.

Mr. LINDSAY said, he would wish to put the question to the noble Lord in a different shape, as he presumed that his conduct would be guided by the intentions of the French Government in this matter. He (Mr. Lindsay) had always maintained that while France went on increasing her naval armaments we should be under the disagreeable necessity of increasing ours, so as to maintain the relative strength of the two countries. He believed it was false economy to allow our defences to fall down to the low point at which they stood in 1852; and to have maintained our navy in an efficient state would have been cheaper than to have suffered such losses from unfavourable exchanges and fluctuations in prices as we had experienced for want of that efficiency. He wished to put this to the noble Lord. If what they saw in the newspapers was true,—he said nothing about the army, because there were Austria, Prussia, and other places, upon account of whom France might assume it to be necessary to maintain a large army, while it was solely on account of England that she kept up her navy—the Emperor of the French had made the first move towards us, showing that he honestly desired to maintain peace, which was certainly his best and wisest policy. That being so, he sincerely trusted that the noble Lord—considering there had been an increase of £4,000,000 in the Estimates, saying nothing of the sum of £600,000 proposed by the Bill which was introduced late the other evening, which would raise the amount to nearly £5,000,000—would meet the Emperor of the French in a like spirit. He trusted the noble Lord, under such circumstances, would not fail to reduce our armaments, and so terminate this enormous expenditure of money.

Mr. CROSS said, he wished to draw attention to the circumstance that the Church Rates Abolition Bill was amongst the Orders of the day. Such a measure ought not to be brought on at two or three o'clock in the morning, at all events without some Member of the Government being present to express their views respecting it. He (Mr. Cross) had placed certain Amendments on the paper which came to the House not with his authority, but that of the Government of 1856, of which the noble Viscount was the head. Those Amendments were proposed by the then Home Secretary (Sir George Grey), and on that occasion the noble Viscount expressed his opinion upon them in these words :—"That the more the proposal was considered the more hon. Members would feel it to be admirably calculated to obviate the difficulties of the case." Upon that proposal, however, the House had never yet had an opportunity of pronouncing an opinion, and he thought that before the Bill was allowed to proceed further, the House was entitled to some explanation from the noble Viscount upon the Amendments which he had so favourably regarded in 1856. If then the Bill was brought forward at two or three in the morning, and the Government declined to express an opinion upon these Amendments, he should certainly oppose any attempt to proceed with it.

LORD LOVAINE said, that recurring to the question of the hon. Member for Norfolk (Mr. Bentinck), he thought the House was likely to be misled by the term, "reduction of forces," which had been used by the papers that were said to convey the intentions of the Emperor of the French. It might easily be made to appear upon paper that when the French Emperor had laid up his ships in ordinary and dismissed his crews the forces of the two countries would be equal, but that would not be so in reality. It would be found that when our ships were laid up, we had no means whatever for reassembling the crews. We had no reserve to fall back upon in case of attack; whereas the French seamen were placed in barracks, so that the Government had nothing to do but to press every workman they could find into their dockyards, fit out their ships, to be in a position to put an enormous number of men on board in an incredibly short space of time. Under these circumstances he did think the Government would not be doing their duty in making any reduction whatever, unless they received an absolute pledge from the Emperor of the French, not only that a portion of his ships would be laid up in ordinary, but that he would not build any more ships of that sort.

LORD ASHLEY said, this subject was of such stupendous importance to the country, that he could not help soliciting the indulgence of the House while he addressed to them a few words in relation to it. He maintained that in comparison with the efficiency of our navy, everything else connected with the maintenance of a defensive force sank into insignificance. It was all very well to dilate on the value of the army, and it was very well, too, to talk of the usefulness of voluntary rifle corps; but unless they had an efficient navy, well manned and equipped, able and willing to meet the enemy wherever he appeared, they could not consider that the country was safe from the aggressions of a foreign foe. It was argued that the Emperor of the French was about to reduce his naval force, and that we ought to follow his example; but what, he should like to know, did the proposed reduction of the Emperor of the French amount to? Simply to the placing of a few ships out of commission, the crews of which might be despatched to Brest or Toulon, or some other of the great naval depôts of France, where he would be able to lay his hands upon them whenever they were needed. But what would become of our sailors if they were discharged? They would be scattered to the four quarters of the globe. He (Lord Ashley) had had the honour of serving in the Black Sea fleet, and he believed a finer body of men than the crews of the ships composing that fleet never left our shores. But what had become of those men now? Some had gone to America, some to Australia, some had gone on board South Sea whalers, and, in fact, they were scattered over all parts of the world. After the war was over a reduction took place; the men must have bread; and as they could not be employed in the navy they went on board other ships in pursuit of the means of existence. It would therefore be found impossible to collect those men together again, and months must elapse before practical and efficient seamen could be found to supply their place. It was said, it took he knew not how many months or years to make a soldier, but a still longer time must elapse before a man could be made an efficient sailor; and that being so, it was, in his opinion, of the utmost consequence that our navy should be maintained in the utmost state of efficiency, without regard to the attitude which might be assumed by any of the other Powers of Europe. Her navy it was that had made

England what she was, and without it she must sink into the position of an inferior Power. That being so, he could not help, therefore, raising his voice in cordial sympathy with his hon. Friend opposite, and he hoped they would have such a satisfactory answer from Her Majesty's Government as would enable them all to sleep sounder on their pillows that night.

MR. SCLATER BOOTH remarked that he did not see that any credit would accrue to the House, or any honour and dignity to the country, from these alarming speeches. It was only a few weeks since the government of the country was placed in the hands of noble Lords and hon. Genlemen opposite, and if they were thought fit to be entrusted with that responsibility he would recommend the House to leave the duty of providing for the defences of the country in their hands. He for one did not think it either a wise or a dignified course to raise these alarms, and to excite that agitation which was now-a-days so rapidly spread through the country by means of the press.

MR. HUTT said, he agreed very much with the hon. Gentleman who had last spoken. He did not rise to prolong this discussion, but to ask the Government when the report of the Commission appointed by the late Government on the subject of Dockyard Expenditure would be laid before the House. He thought, considering the importance of the subject, they ought to have some pledge that the report would be laid on the table before the prorogation.

VISCOUNT PALMERSTON: Sir, if I did not at once reply to the questions which were put to me by my hon. and learned Friend the Member for Cork (Mr. Scully), it is because I thought it desirable that I should defer doing so in order that I might be in a position to reply to the other inquiries which I found by the notice paper were to be addressed to me upon this Motion. My hon. and learned Friend asks whether the Pope has agreed, or is about to agree, to become a member of the Italian Confederation, and whether in that event Her Majesty's Government would think fit to open direct diplomatic relations with him? To the former of those questions I am not competent to give an answer, inasmuch as in the first place the confederation is not formed, and in the next place our relations with the Pope are not such as to induce him to communicate very freely to us what the intentions upon the subject are which he entertains. I would refer my hon. and learned Friend for information on the point to the hon. and learned Member for Dundalk (Mr. Bowyer), as being more likely to be a person—especially after what passed last night—in the confidence of His Holiness than myself. But, to speak seriously, I possess no information which would enable me to give to the inquiry of my hon. and learned Friend upon this head a satisfactory reply. With respect to the other question which he has put to me, I can only say that there would be nothing in the formation of an Italian Conference with the Pope at its head, or even as one of its members, which would bear upon the subject of our entering into direct diplomatic relations with the Court of Rome. As in the case of the German Diet, with which, as the organ of the German Confederation, we hold diplomatic relations, so in the case of the organ of the Italian Confederation similar relations would be established. But then it must be borne in mind that our representative at the Diet is accredited to that body, quite independently of any diplomatic relations which we may have with the several Powers of which the German Confederation is composed. It would, perhaps, be well that I should take this opportunity of explaining what the state of the question is with respect to our diplomatic relations with the Pope. It will be in the recollection of hon. Members that some years ago an Act of Parliament was passed in this country enabling Her Majesty to enter into such relations with the Court of Rome, and that in the other House of Parliament a clause was added to that Bill which prohibited the Sovereign from receiving, as the representative of the Pope, any ecclesiastical personage. The Court of Rome chose to regard that proviso as constituting a bar to the establishment of diplomatic relations with Great Britain. I may now remind the House that the Government of Prussia, which is Protestant, and that of Russia, which is non-Catholic, have both declined to receive at their respective Courts an ecclesiastic as the Papal representative. I do not know whether that refusal is the result of a legal enactment, but, at all events, such is the settled decision and practice in those countries. Notwithstanding, however, this state of things, the Pope has received at Rome diplomatic agents and representatives from Prussia and Russia; and I cannot, therefore, comprehend on what ground he draws that distinction between England on the one hand and Russia and Prussia upon the other, which involves the demand upon his part, before he will consent to enter into diplomatic relations with us, we should repeal the Act to which I have referred, and do that to which Russia and Prussia have declined to accede. Such is the position in which the question stands, and I thought it was perhaps desirable that I should offer this explanation to the House with respect to it. Next comes the question of the hon. Member for West Norfolk (Mr. Bentinck), and in dealing with it I might, perhaps, content myself with simply stating that my answer to it must depend on a great variety of circumstances, which in due time, and at the proper moment, it would be the duty of Her Majesty's Government to take into their consideration. The inquiry which the hon. Member has addressed to me is whether it is the intention of the Government to make any change in the military and naval establishments of the country, as they now stand in accordance with Estimates which have been prepared by the late Administration, and which we have adopted? The subject is one on which it would perhaps be only respectful to the House that I should make a few observations, over and above that general reply which I have just indicated. The hon. Member bases his inquiry on the assumption that the information which reached us yesterday to the effect that the Emperor of the French was about to reduce his naval and military establishments, afforded a ground why Her Majesty's Government might be supposed to deem it expedient to make a similar reduction in the naval and military departments of this country. Now although the receipt of the information to which I have referred may furnish a very good opportunity to the hon. Member for the expression of his own views, and for eliciting the opinion of the House on this subject, yet I cannot help thinking he is somewhat premature in asking the Government what course they may think it their duty to take in consequence of an event which has not yet happened and of the probability of which they received intelligence only yesterday. With regard to the anecdote which he relates, I was at Cherbourg at the time and I rather doubt the authenticity of the story, but some right hon. Gentlemen on the other side of the House will be more competent than I am to say whether such a conversation ever passed. I have no hesitation in perfectly concurring with him in the principle which, as I understand, he laid down — that it would be impossible for the Government of this country to enter into an agreement with any other foreign Power for the reduction of establishments, naval and military. If there were no other Powers in the world with armies and navies except England and France, I should say, even then, that any agreement was impossible for us to enter into; because the circumstances of England and France, the interests which they have, the position which they have to maintain are so entirely different that you cannot make an arithmetical agreement between two such Powers, that as to one there shall be a reduction of a half and as to the other a similar reduction. There is no parity of position, and, therefore, there can be no equality of consent. But the House must remember that there are other Powers, besides England and France, who have navies with whom we now are, and I trust shall continue to be in friendly relation, but with whom possibly that relation may alter. If by any misfortune we were engaged in a war with France, we might be engaged in hostilities also with them. Therefore, our naval and military arrangements must depend, not in what is done by any foreign Power, but on what the responsible Government of the day from time to time consider necessary at the time for the protection of those various interests which it is the duty of Her Majesty's Government for the time being to protect. I can say no more than that. It is, of course, the duty of the Government, while on the one hand they propose to Parliament such establishments as they conscientiously believe to be necessary, on the other hand, not to be led away by the false alarms and exaggerated notions, and expect the country to bear burdens greater than their real interests make it necessary that they should sustain. With regard to the question of the hon. Gentleman (Mr. Hall) I have consulted my noble Friend the Secretary to the Admiralty, and he tells me that the report to which allusion has been made, will in a few days be laid on the table of the House.

THE DELTA OF THE NILE.

QUESTION.

MR. KINNAIRD said, he rose to ask whether there is any objection to lay on the table of the House a Copy of Captain Spratt's investigation on the subject of the Deposits of the Delta of the Nile;

and another Paper on the true position of Pelusium and Farama, in which that officer has stated his reasons for concluding the identity of Pelusium with Abukir, and of an advance of the shore of fully eight miles since the time of Strabo ?

CHURCH RATES.

QUESTION.

LORD JOHN MANNERS said, he wished to ask whether the Government intended to take up the church rates Abolition Bill and help it through its remaining stages, or to take no further steps in the matter ?

SIR GEORGE LEWIS said, that at present there was quite sufficient Government business to occupy the time of the House, both morning and evening, for some days to come, and all the Government could do was to give precedence to the business which must necessarily be transacted before the Session could be closed, and which, therefore, it was the general interest of hon. Members to dispose of as soon as possible.

RED RIVER SETTLEMENT.

QUESTION.

MR. CAIRD said, he wished to ask the Under Secretary of State for the Colonies, whether any new instructions were sent to Captain Palliser on receipt of his Report of October 7, 1858, in regard to his further explorations along the American boundary line and in the Rocky Mountains; and whether Captain Palliser's Journal has been received and will be printed. The expedition had been ordered by the Government two years ago to examine the country between Lake Superior and the Rocky Mountains, within British territory. The evidence before the Hudson's Bay Committee had been so contradictory in regard to the agricultural value of that country, that Government had, very properly, determined to institute an impartial examination. The duty had been intrusted to Captain Palliser, and the papers narrating that officer's proceedings had been lately laid before them. There were two points more especially urged against the likelihood of future settlement—inaccessibility and severity of climate. The first of these had been practically set at rest by the fact that a weekly mail had now been established between St. Paul's and Red River, and a steamer was now regularly plying on its waters. The journey, which formerly occupied four to six weeks, was now accomplished in eight days. And should railway accommodation be carried out, as was contemplated, the journey from St. Paul's to the Red River Settlements might, before long, be performed in little more than forty-eight hours. The question of inaccessibility had thus already received a practical solution. The country within British territory thus opened up was of vast extent, the fertility of the soil was confirmed by the explorations of Captain Palliser, and by the fact that a settlement, now of nearly 7,000 people had, notwithstanding every disadvantage, maintained itself for forty years. At a point still further west, on the vast prairies, Captain Palliser came on a scene which he thus described:—"The whole region, as far as the eye could reach, was covered with buffaloes, in bands varying from hundreds to thousands." A day's journey further brought him to the banks of the south branch of the Saskatchewan, which at this point, 400 miles west of Lake Winnipeg, he described as "a magnificent river, navigable for craft of any size." He mentioned the existence of coal at several points, and, though his report was, in some respects, not so full as might be wished, it confirmed the opinion of those who urged upon the Government the great capabilities of this vast region. It would seem, indeed, likely to prove for Canada an addition to its territory of a great and fertile prairie country, capable of competing with the rich prairies of the valley of the Mississippi. Captain Palliser had likewise discovered a pass across the Rocky Mountains which would connect the prairies of the Saskatchewan with British Columbia. But in his last despatch of the 7th of October, 1858, he requested that further instruction might be sent to him, which would enable him to complete his survey of the boundary line and of the Rocky Mountains. He (Mr. Caird) had referred to the question of climate. There was no detailed information in the printed papers on that point, and, as Captain Palliser had sent home a journal in which all such details were embraced, he hoped that the journal would be printed for the public information. He trusted that no undue economy would be practised which might hinder the satisfactory prosecution of this interesting inquiry. When it was considered that the Canadas were our nearest colony, that they had already a line of railway nearly 1,000 miles in length, carrying communication at all seasons of the year from the Atlantic to Lake Huron, and that the result of this exploration might add to them an almost boundless extent of accessible and fertile soil in a healthy climate, which might yet be peopled from this country, he thought the House would not grudge the cost of a full and careful examination.

MR. ELLICE (Coventry) said, he had some knowledge of that country, and he had lately seen an able officer of the Engineers who had returned from exploring it, because, as he said, he would not waste his own time and the public money in such an unprofitable enterprise. He believed the picture the hon. Gentleman had drawn of the country was greatly exaggerated. The only way in which it could be reached was through the United States; there was no practicable route through Canada. The money spent on the expedition of Captain Palliser was, he thought, entirely wasted, as no additional information to that already possessed by the Hudson's Bay Company for the last forty years was gained. He trusted, therefore, the House would not authorize any further expenditure.

MR. DANBY SEYMOUR said, he entirely differed from the right hon. Member for Coventry (Mr. Ellice) in his view of Captain Palliser's expedition; and he would ask the right hon. Gentleman, as an influential member of the Hudson's Bay Company, why, if that company had possessed all this information for forty years, they had never communicated it to the public? He (Mr. Seymour) thought the discoveries of Captain Palliser were very important. One-half of the country visited by him was now opened by steam. Every product of a temperate climate could be grown in that country, even where it was most unfruitful; the soil went on improving all the way to the Rocky Mountains, and became more prolific as it approached the Pacific. Perhaps the most important service of Captain Palliser was that which he accomplished during the last year, when he discovered four passes through the Rocky Mountains—one of them adapted for wheel carriages; and he (Mr. Seymour) hoped that now, since steam communication had been opened on the Red River, the Government would establish a mail between the Red River and Vancouver's Island.

MR. BLACKBURN said, he had been one of a Committee that investigated this subject two years ago, and he agreed much more with the right hon. Member for Coventry (Mr. Ellice) than with the other hon. Members who had spoken on this subject. This sort of proposition was like the letting out of waters. We had established a colony on Vancouver's Island, at a yearly cost to us of £40,000, and, as sure as we began with another, there would be another demand of £50,000 upon this country. Let people settle if they chose, and where they chose, but he protested against any attempt to saddle this country with more expense.

MR. CHICHESTER FORTESCUE said, he believed the House was not at that moment disposed to enter upon a discussion of the large questions involved in the settlement of the region referred to; but with regard to the information received from Captain Palliser, he had to state that all that the Government had received had been published. That information had no doubt led to an increased hope that the day would come when that region would be filled up with English colonies. There was a mistake committed, however, on this subject which was wholly a mistake of dates; and if that were borne in mind, the language used by both sides might be true; at all events there need be no alarm that there might be an intention on the part of the Government to establish a British colony where as yet no colonist had gone. No journal had been received from Captain Palliser; but a report, despatched on the 7th October last, was received on the 5th of January by the Government; he then made a demand, which was small, for a sum of money, and that was sent out to him immediately afterwards. It was believed that Captain Palliser would cross the Rocky Mountains, and would reach home this autumn by Panama.

MR. BARKLEY BRIDEN'S RIFLE.

QUESTION.

MR. MONSELL said, he rose to put a question to the Secretary of State for War with reference to Mr. Barkley Briden's invention for rifling guns. Experiments had been tried with the guns which had passed through that gentleman's process, and it was found that the range was much greater than those of ordinary guns. In the year 1856 a 32-pounder was placed at the disposition of Mr. Briden, and he was allowed to rifle it, and this year there had been some experiments at Shoeburyness, and with success. It appeared that by an ordinary 32-pounder the shot was thrown

3,000 yards, but Mr. Briden's guns threw them 4,000 yards. Again, he might mention that the groove of the gun was only 1-16th of an inch, and therefore it did not impair the strength of the guns. He wished to know whether Mr. Briden's plan had been adopted, and whether, according to his system, any of the guns were now being rifled.

Mr. SIDNEY HERBERT said, he had endeavoured to hasten as much as was in his power the rifling of guns, and he understood that among those who had produced the most ingenious mode of rifling guns might be ranked Mr. Barkley Briden; but he was not able at that moment to give any positive opinion upon the subject of his rifles, as experiments were now in progress to ascertain which was the best mode of rifling guns. As soon as those experiments were completed he would be able to form an opinion on the subject.

JUDICIAL STATISTICS OF ENGLAND AND WALES.

QUESTION.

Mr. MONCKTON MILNES said, he wished to ask the Secretary of State for the Home Department, whether it would be practicable to lay on the table of the House the Judicial Statistics of England and Wales which are made up to the 29th day of September each year before the succeeding Easter recess, and whether some similar Statistics for Scotland might not be appended to the said Report.

Sir GEORGE LEWIS said, the Returns respecting the Police and Prisons, and the accounts relating to them, were made up to the end of September in each year.

CHURCH RATES.—QUESTION.

Mr. PALK said, he wished to ask what part the Government would take on the Amendments to be moved in Committee on the Church Rates Abolition Bill, and whether the House would go into Committee at a late hour or not.

Mr. SPEAKER said, it was out of order to discuss Amendments to a Bill which would come before the House at a subsequent period of the evening.

Mr. PALK said, he believed he was in order in asking what course the Government would pursue.

Mr. MILNER GIBSON said, he presumed that the Amendments which stood in the name of his right hon. Friend the Secretary for the Home Department would be moved when the fitting time came; but he thought it would not be reasonable to take the Committee on the Bill at a very late hour of the evening.

House at rising to adjourn till *Monday* next.

THE NATIONAL DEFENCES.

RESOLUTION.

Order for Committee (Supply) read.

Motion made and Question proposed—"That Mr. Speaker do now leave the Chair."

Mr. HORSMAN said, he rose pursuant to notice, to propose a Motion as to the mode of providing for the expense of completing the necessary works of national defence, projected or already in progress. If any apology were required for the Motion he was about to submit, it would be found in the preliminary discussion which had already taken place in the House that evening. The question of the national defences had only to be mentioned in that House to excite a feeling of general interest, and he believed the feeling of that House on the subject was a very inadequate representation of that which prevailed throughout the country. They had just been called on by the Government to make a large increase in the taxes of the year, and the reason on which that demand was grounded was the necessity of adding to our national defences. This year our armaments would cost us £26,000,000, and in order to meet that enormous outlay we should have to submit to an augmentation of the most odious and exceptional of all our imposts. In a time of profound peace we were about to nearly double the income tax, and there was a general disposition throughout the country to inquire whence the great exigency arose. It was obvious that those enormous estimates were the result of some great necessity, and were the evidence either of some imagined or some perceived danger. How long, people asked, was that state of things to continue, and what was the probability of these estimates either being diminished or continuing annually increasing? There was a point at which inquiry on this subject became the duty of Parliament, and anything like evasion or concealment on the part of the Government was fraught with danger and involved a positive betrayal of the interests of the country. There was always a disposition — perhaps too ready a disposition—on the part of the House of Commons to act with forbearance in reference to all questions affecting international relations ; but there were occasions—and he believed this was one—when it behoved the House to press the Government of the day to speak out in plain and unmistakeable language. All those armaments and that taxation were necessitated by one cause — namely, the fear of an attack from France—why should they not say it ? France knew it, and said it—and all Europe knew it, and said it — and no one differed about it in that House, except perhaps the Member for Birmingham, who disputed the necessity, and the Ministers of the Crown, with whom it would be a breach of etiquette to confess the motive. But there was the fact—the Ministers of War were augmenting the defences, and the Minister of Finance, for the current half year at least, was doubling the income tax—and the truth was indisputable—that it was from uneasiness caused by their nearest, and dearest — much-lauded, and most-trusted Ally, that their armaments, and burdens, had increased, were increasing, and, notwithstanding the announcement of the *Moniteur* yesterday, with a prospect of anything but diminution. Now, what was the duty of the House of Commons under such circumstances ? Ought they not, he asked, to look their position boldly and sensibly in the face, and ascertain either the reality of the danger, or the folly of the alarm ? If that uneasiness, which was costing so much, was unfounded, the people ought to be instantly relieved from sacrifices they were now called to make ; but if there was anything like real danger in the position, not an hour should be lost in placing the security of the country beyond the possibility of question. It only remained for the Government, like men, like Englishmen, like statesmen, to tell us the truth. Let them but say the word, that this was an occasion for England to put forth some portion of her latent strength, in order to overtake a march stolen upon her, and the spirit of the nation, which would be instantly aroused, would do all the rest. And why should Ministers not speak out the truth ? Would it be indiscreet ? Where is the indiscretion in those who are responsible for a nation's safety, apprising it of a danger it is still easy to avert ? If indeed the time were too brief—if our preparations were over, and our means and contrivances exhausted—and still our defences were incomplete, then indeed it might be unwise to proclaim a weakness we could not avert. But now, the real indiscretion—the real reproach—the folly and the fault would be on the head of that Minister who with boundless resources at his command, hesitated to employ them—dissembling a danger till too late to avert it, and sacrificing the safety of a nation to his politeness to an Emperor. They had lately been regaled with some very severe strictures from that side of the House, and the Ministerial bench, on the Public and the Press, and on Peers of Parliament for certain misgivings they had betrayed, and language they had used in speaking of our friends across the Channel. But it appeared to him that the speakers by whom those rebukes were administered very strangely misconceived both the origin and the motive of the conduct they condemned. He was not ashamed to acknowledge that in common, as he believed, with a vast majority of the House, he shared very largely in the apprehensions the public had expressed—that he was grateful to the press for the warnings that it had sent forth—and that he esteemed it a good fortune and a privilege to have heard the speech of that venerable Peer, whose courageous exposition of a national danger had caused so much sensation. And even with the fear of incurring another rebuke, he would take the most public opportunity of expressing his admiration of the patriotism and wisdom of that most needful warning, which spoke home to the hearts—the sympathies—and the convictions of the great body of his countrymen from one end of the kingdom to the other. But what did these articles in the English press and speeches such as that really imply ? Not fear of any enemy abroad but of our own incapacity at home. It was not fear of France, but, correctly translated, want of confidence in our own departments in England. It was not fear of plans and preparations for attack from the other side of the Channel, but of the want of all plan or preparation for defence on this. The recollections of the Crimea had sunk very deep—they were not yet obliterated, and knowing, as those alarmists well did, how powerful and invincible as a nation we were, they still trembled, not from terror of those by whom we might be invaded, but from another stronger terror, calculated to shake the stoutest nerves ; a terror of those to whom our defence was to be committed. And again, the language of apparent hostility and defiance that made our Ministers so uneasy, what was it but a set-off to the official language of adulation of which the nation had grown ashamed. The demeanour of some of our public men to the Emperor of the French had long been displeasing to the country; it had lowered us abroad, it had sickened us at home, and it had provoked those counter demonstrations of sentiment which would have been neither so frequent nor so marked, had the public not felt that the honour and character of the country were being complimented away. Now, he thought that our English Ministers should long ago have exchanged the language of adulation for that of manly frankness. The Emperor of the French was our friend, and our ally. He was a man of business, and a man of sense, and at the commencement of those preparations, our Government should have said to him, with all deference and respect, "We receive with pleasure your professions of peace; but we find it difficult to reconcile them with your preparations for war. Your increasing armaments are full of danger—your attitude is fraught with menace—we may continue allies, but at this rate we shall soon cease to be equals; and we cannot without explanations allow you, under cover of the English alliance, to make those enormous preparations against which, but for that alliance, we should remonstrate and arm—we must therefore receive from you an assurance that these menacing preparations will not continue, or we must adopt the alternative of girding up our loins to that race of armaments, in which a regard for our own safety will not permit you to outstrip us." Would not that language have been more appropriate and dignified? Would there not have been more honesty and safety in it, than in that perpetual overflow of diplomatic compliments, which had not raised us with foreign countries and was very distasteful to our own people? The appeal would have been in vain perhaps; well, then, the Ministers knew the alternative. They had but to tell the nation the truth; and with a nation aware of that truth, all danger was over and disquietude at an end. The common sense—the public spirit of the nation—would rouse itself to the necessary effort, the work would be pushed on with activity as if war were already declared, and in less than twelve months the country would have been so impregnable and secure that the word invasion would never have been heard but with a smile. At the eleventh hour, however, when, under cover of the alliance, the inequality between the two countries was established, the necessity for increasing our defences was proclaimed by the increased Estimates which the House had this year been asked to vote. But it was to be deplored that they were meeting that necessity with half-measures, and he felt bound to say that, for purposes of national defence, half-measures were no measures at all—to be serviceable they must be complete. They were engaged on permanent works of national defence. These were very costly, but the result was very unsatisfactory. Our arsenals were entirely undefended; our shipping, in case of war, had no shelter for their protection or repair. The necessary works were planned, but the money to complete them was doled out in driblets. It was distributed over so many works, and spent through such a series of years, that in the meantime we were utterly defenceless. He had in his hand a few items taken from the Estimates for the year for these public works. The first work he found was that of Devonport. The cost of the necessary fortifications was estimated at £457,500; and the sum voted this year, which was much in excess of anything voted in previous years, was £86,000. This was one of the most necessary and urgent works that had been undertaken, but according to the present rate of payment it would take three and a half years to complete it. That was on the supposition that the estimate was correct, for, as the House knew, it frequently happened that the expenditure was rather in excess of the estimate. The next place was Dovor. The estimated cost of the fortifications here was £311,000. There had been already voted £138,000, and the Vote this year was £26,000. To complete these fortifications would take a period of between six and seven years. The citadel and barracks at Alderney were next on the list. The estimated cost was £200,000; this year £15,000 was voted, leaving £185,000 still to be granted. To complete these works would take no less than twelve years. Then there was Pembroke, with the sea defences of Milford Haven. The estimated sum for the works was £190,000. There had been voted £25,000 this year; £165,000 still remained to be voted, and it would take six or seven years to complete the works. The Gosport advanced lines at Portsmouth were estimated at £300,000; this year £65,000 was voted, so that it would take nearly four years to finish the undertaking. The Hilsea lines were estimated at £135,000. A sum of £25,000 had been voted this year, and more than four years would be required to complete the works. The Southsea line was put down at £30,000 in a supplementary estimate; £3,000 had been voted, and it would take nine years to complete the works. The Stokes Bay line was estimated in a supplementary estimate at £50,000. They had voted £7,000, and it would take six years more to finish the undertaking. But the most extraordinary case was that of Portland. They all remembered how the Secretary for War lately spoke of the importance of Portland. His satement regarding it was that it was one of the finest harbours in the world, but that it was utterly defenceless; that if an enemy were to take possession of the island we should have great difficulty in dislodging him,—that the works required could be executed very economically, but that when completed the defences would be so strong as to make it impossible that Portland should ever fall into the hands of an enemy. Now, everybody knew that that was a very fair statement, but what must be the feeling of the Minister who made that statement when he reflected that, according to the rate of the Vote taken this year, twenty-one years would be required to complete the newly estimated works at Portland? He might rest his case on that instance alone, for it was impossible that any Minister who had made the House conscious of the importance of such a work could contemplate with anything like equanimity the idea that twenty-one years would be required to complete it; but there were other cases — such as the defences of commercial harbours—to which he would not refer the House. Even with regard to Gibraltar and Malta a strong case could be made out, for it would take four years to bring the defences of the latter place to a completion at the present rate of voting the money. He had taken these instances from the Estimates, but there were other works not in the Estimates which the Government must feel to be imperatively called for. He would take the case of Woolwich as an example. Woolwich was the armoury of England; the amount of property in our arsenals there, could not be less than £10,000,000 to £15,000,000; and it was perfectly defenceless, not a single shilling of public money ever having been voted for fortifications at Woolwich. He must for the present assume that the works to which he had referred were all necessary, because, with the exception of Woolwich, they had all been approved by Parliament, and money had been voted towards them. If they were necessary, they were urgent, and if they were urgent, they should be completed in a short time. But he was far from saying that these were the most necessary works, or that they ought to be completed according to the plans and estimates already before the House. That was a question that would come under the consideration of the Royal Commission about to be nominated at the instance of his hon. and gallant Friend the Member for Westminster. In fact, the appointment of that Commission was essential to carrying out the objects of his own Motion, if the House should agree to it. If that Commission were well selected, with a due proportion of civilians upon it, and a firm exclusion of the official element, its report would be most valuable, and the means of carrying out its recommendations would, no doubt, be unhesitatingly and ungrudgingly provided. It would not do for any Chancellor of the Exchequer, in such a case, to say—"If you can make the country secure by an outlay of ten millions, I am ready to propose it; but if it is to cost twelve, you can't afford to be saved." The safety of England is too precious not to be insured at any price; and the only question is, how the money should be provided. There was no Member of that House who would not scout the idea of consenting to a loan for the purpose of the ordinary expenditure of the country. The days were happily gone by when the idea could be entertained of meeting the current expenditure with borrowed money, but the question was whether this was part of the ordinary expenditure of the country. It was expenditure which was taking place in anticipation of a possible war. It was not occasioned by a belief that any foreign Power at present entertained or, he hoped, would for a long time entertain any idea of invading England; but we knew not how suddenly such a war might arise, and if it broke out and found us unprepared and defenceless we should not be safe for a single day. Hitherto the plan had been to spread this expenditure over a series of years, but the general opinion of the House, and he believed also that of the Government now was, that it ought to be compressed within a limited period. If these works were to be of any use they ought to be completed at once; and if the expenditure, intended to be that of a series of years, was compressed into two or three, it became an extraordinary expenditure, and must be met by extraordinary means. They could not meet it out of the ordinary income of the country. They must therefore either complete these works by means of a loan or leave them unfinished. That was an alternative which the House could not avoid. Some gentlemen thought that his object in bringing forward this Motion was to obtain the establishment of a line of forts along the whole of our coasts, so as to prevent the possibility of a landing being effected by an invading army. Instead of this he went rather into the opposite extreme, and thought that such an expenditure would be perfectly absurd, and indeed a complete waste of money. In his opinion this public expenditure ought to be limited to two objects. We ought to provide defences for our shipping and our arsenals. His object was merely that, as certain plans had been approved by Government, sanctioned by Parliament, and the works already commenced, we should obtain the money required, and complete at once operations which would otherwise be spread over a number of years. It had also been supposed that he wished to borrow money to pay some part of the expense of our military and naval establishments. Nothing could be more absurd. The only objection which he had heard to the raising of this large sum of money, in order that these works might be completed within a certain time, was, that if so great an amount was at once placed at the disposal of the Government there would be an enormous quantity of jobbery and waste. His own opinion was that this was a very absurd objection, and he was sure that he might safely leave it to be dealt with by the Secretary of State for War, who would hardly admit that, although his department could control the expenditure of £2,000,000 per annum, it could exercise no efficient superintendence over that of £6,000,000. It was the more necessary that the money required for this expenditure should be raised as he proposed, because for some time, at least, the ordinary military and naval expenditure of the country would absorb all that portion of the income which could possibly be devoted to it. He was not able to comprehend the logic of the statement made by the Chancellor of the Exchequer the other night, when bringing in the budget, that if matters did not get worse in the course of next year they would probably get better. His belief was that so far as a diminution of expenditure went, they could not get better, as long as the obligation of keeping the navy of England up to an adequate strength was acknowledged. The superiority of our fleet—he would not say our supremacy at sea, as that might be objected to as implying rather a bellicose spirit—was as essential to our commerce as were the ships which carried it. He agreed with what was said by an hon. Member early that evening, that the superiority of our navy was rendered absolutely necessary by the superiority of our colonial and commercial interests. The superiority of our fleet at sea had hitherto been the first necessity of our empire. It had been considered the first law of our existence as a great European Power. Other Powers had great military establishments. The Channel was our natural defence, and if we lost that we should at once lose our position in Europe as a first-rate Power. It was much to the honour of hon. Gentlemen opposite that they endeavoured—and successfully endeavoured—to re-establish the navy of England in the position which it ought to hold; and no Government would deserve a moment's forbearance which did not strain every nerve to make it the most powerful navy in the world. During the discussion upon the Navy Estimates last year, he expressed an opinion in which he was followed by the gallant Admiral the Member for Southwark (Sir C. Napier), that the navy of England ought to be equal to the navies of France and Russia united. To his great satisfaction the noble Lord at the head of the Government had the other night endorsed that sentiment. It was an opinion which was becoming very general in that House; but, unfortunately, the equality which he desired was not very easily obtained. Russia had lately been building in the United States large ships of war, some of which were already completed. France had got a-head of us, and was making every effort to preserve that start. While we were only experimenting she had already built iron-cased vessels, armed with rifled artillery—[Sir CHARLES NAPIER: Hear, hear!]—and could at short notice bring into the Channel a fleet more powerful than ours, and could man it more easily with practised seamen. It was admitted that if, unfortunately, war should break out, and a naval engagement between the fleets of the two Powers should take place its result might be doubtful. If by any accident its results were in favour of France, if she could blockade or destroy the remainder of the fleet, while our defences were incomplete, England would become part of the main land of the Continent, and France with the command of the communications could transport a fleet across the Channel as easily as she could send it across the Rhine. Suppose such a thing occurred—and he was speaking of what might happen ten or twenty years hence, but a short period in the lives of such nations as England and France—we should have to depend upon our land force. What was that? Here, again, everybody felt that we were the victims of half-measures. Every one knew that if in any future war that might occur a French general were to land in England, he would bring with him every soldier for whom transport could be found. It would be for invaders and invaded a life and death struggle. That army would leave its own ports an exultant and, by anticipation, a victorious army. From the moment it landed on the shores of England it would have to fight its way with the desperation of a forlorn hope, and within two or three weeks of the landing of the first Zouave either it would be completely annihilated or London would be taken. It would be less a war than a surprise, and its suddenness would be one element in the calculation of its success. What force had we, what preparations had we to meet such a danger as this? We all knew that it was very inadequate. We ought to have one of two forces, either a standing army equal to any which could be brought to invade us, or a large auxiliary force of militia and volunteers. But could anybody say that we had either, or were likely to have either? There was lately something like a national movement for Volunteer Rifle corps, and its having been early adopted at the Universities and at the instigation of the authorities, proved the sense of the necessity among the most reflecting and unmilitary classes. But they have met with cold encouragement. Finding them already sanctioned by their predecessors and very popular, the Government had continued them, but under a species of compulsion, so that many people were now heard to say that if the country was left to itself, if there were no War Office nor Horse Guards, its own instincts would more rapidly ensure its own security, and there would soon be such an army of volunteers as would render a hostile landing impossible. But while we were under the dominion of the routine and red tape, the idea of being defended by irregulars and volunteers appeared in some eyes more terrible than the invasion itself, and better that England should be conquered according to the articles of War, than saved by such a perilous and plebeian innovation. In 1803 when invasion was not so easy and the danger not greater, we had 400,000 volunteers enrolled and under arms, and even then we felt that the Channel was our best defence; and Napoleon to his dying day regretted that he had not attempted the invasion, for he made light of any army that could have met him. But without Line or Militia in sufficient strength and without command at sea, even Rifle corps, the best, and cheapest, and readiest and deadliest of all volunteers were not encouraged, and we now heard that satire on our military establishments, that if we had the men we had not the rifles. There was a rumour which he hoped the Secretary for War would contradict to-night, that a contract for 40,000 rifles, lately entered into with a Belgium factory, had been cancelled, because of the demand of a small extra price, and we were therefore left unprovided with an arm lately ordered, as urgently needed for our defence. Was it any wonder that the country stood appalled, not by dangers abroad, but by incapacity and weakness and helplessness and confusion at home? It thought of the Crimea and trembled from head to foot. There was but one mode of acting in this exigency, for it was an exigency, and depend upon it, the nation would tell them so ere long. Not a moment must be lost in making the country safe against every accident, and until it was so, we must act as if the crisis were upon us. No human tongue could tell how soon or how suddenly it might arrive, and that it might still be distant was our good fortune of which we should make the most. Every public or private yard should be put into full work, every artificer and extra hand should work extra hours as if the war were to begin next week. As gunboats could be built more rapidly than men of war, gunboats should be multiplied as fast as possible; as volunteers could be enrolled faster than the line, they should at once be raised. As rifles could not be made fast enough in England, we should renew that order in

Belgium, even though they should cost sixpence a-piece more than the Horse Guards' regulation, and night and day the process of manufacturing, constructing, arming, drilling, should go on till the country was made safe, and then we might desist from preparations and return to our peace expenditure with the certainty that these humiliating and lowering and degrading panic cries of invasion would never disturb our country or our Government again. But there were those who would, no doubt, tell him all this apprehension and precaution was very foolish, and deserving only to be laughed at. But that only made it more his duty to express his opinion, and he thought it much to be regretted that on so great a question where every man, according to the light and reason that were given him, had a right to take thought for the safety of the country—and when the highest military authorities—the most experienced diplomatists—the wisest and most venerable statesmen—all concurred on the most solemn question on which they could be called to judge—that that liberty of thought and speech, which was the birthright of every one among us, could not be indulged without being assailed with an amount of ridicule and derision that was wholly undeserved. He had no fault to find with any private Member for the expression of his own opinions. The Member for Birmingham, for instance, as an independent Member of that House, and acting on his individual responsibility, expressed fearlessly what he held consistently, and he had a perfect right to believe that there was not a Zouave in the French army who would not prefer a remission of the wine duties to the sack of London. But it was a very different thing when a Minister of the Crown, rising after his hon. Friend, expressed such a general concurrence in his views as to enable him to congratulate himself and his friends (as they had done last week) that they who guided the councils and destinies of England were converts to his views of foreign policy and peace. Of this he was quite sure—that the nation had not become converted to those views, and it would watch with great jealousy the alleged conversion of the Government. He and others, who thought with him, had been content hitherto to refrain from any public statement of the reasons for their disquietude; but when they were now told, on high authority, that the Ministers of the Crown were becoming members of the Peace Society, they felt bound to protest against the progress of those views, and to state the reasons for their apprehensions, and publicly to justify those reasons. He had never in his life said one word in disparagement of the Emperor of the French, and for this reason, that in many respects he had formed a very different estimate of his character to what, unfortunately, prevailed among many people in England, and he viewed in a different light the policy and effects of his Government of France. He always remembered that he found France in a state of anarchy, and that he had restored order. Every one believed, before he appeared on the stage, that France must pass through a bloody convulsion before she could obtain a settled Government. He carried her through that convulsion with less bloodshed than was believed possible, and he was rewarded with a throne. He was the choice of France—he was now, she believed, her benefactor—she felt that he had raised her power, extended her influence, given her military glory beyond her frontiers, and internal prosperity and peace. France esteemed and trusted him, and between ruler and ruled there was, in regard to their internal government, that complete accord that must shut out, if not our criticism, at least our censure. But though with the domestic affairs of France we had no concern, it was our right and duty to watch her foreign policy. The Emperor of the French acted for the interests of France; it was ours to guard the safety of England, and if he were asked, "Why do you suspect the French Emperor of designs of war? and, still more, why do you insult him by suspicions of invasion?" he should be driven to answer by a reference to facts as notorious in France as in England—that he apprehended war because he saw the Emperor of France preparing for it; and he anticipated invasion, because an attempted invasion must be a necessary accompaniment of the war; and as they saw unmistakeable proofs of preparation for war, so also those who were not wilfully blind must see the most unmistakeable preparation for invasion; and as to our insulting him by the suspicion, he replied that no man could be insulted by our believing what he himself had openly, publicly, and ostentatiously told us he would probably do. Few men had ever risen to a throne after taking more pains to advertise the world of what they believed to be their destiny and its duties. The present Emperor of the French was a man of thought, before he was a man of action. As they had been told last night, he was an author before he was an Emperor, and when of ripe age, after long study and reflection, he had given to the world, in works of deep thought and intense feeling, the programme of his opinions and his policy—and wherever it was that in those days he thought, or wrote, or spoke, whether dating from London, or from his prison at Ham, or pleading for life before his Peers in France, there was the same earnest of what he had since proved himself to the world—the man of great purpose and inflexible will, and of one fixed idea; and the dream of the exile, the prayer of the captive, the address of the candidate for power, all were filled with one recollection, all pointed to one great act of national retribution, all reiterated and dwelt on that one word, which he said no Frenchman could speak without emotion; and consistently with that, since he rose to the Empire, he had unceasingly fired his army with the hope that he and they had one common mission unfulfilled, until their last great glorious enterprise should have wiped out the stain of France's deepest humiliation and most stupendous disaster. He did not say this in disparagement of that illustrious Ruler, and he was sure that he could not be offended by our receiving as truth what he had avowed with pride. For, from the day that he became Ruler of France, every act had been in the most strict accord with this preconceived policy, and France understood it, if we did not. It might be said that he (Mr. Horsman) was repeating an old story; but he might remind hon. Gentlemen that the works to which he referred had very recently been reproduced in France, and had been revised and republished under the authority of the Emperor himself. They were extensively circulated and widely read in France, and what was the effect they produced upon the French people? Why, they could only be regarded as a re-affirmation on the part of the Emperor of the policy of the exile. They afforded the key of what would otherwise be a mystery, and enabled people to interpret what would otherwise be unintelligible—namely, that those vast preparations, the extension of the navy, the fortification of the coast, the enlargement and increase in the number of transports, and the conscription for the marine, all indicated preparation for a gigantic enterprise to be undertaken some day or another against a gigantic naval Power, and that Power need not be named. The English were a practical and business-like people, and when they had these writings, which had been lately reproduced and circulated, and when they saw the enormous military and naval preparations which were made in France, it was no wonder that they should ask, "Are we in that state of perfect security and defence in which we ought to be even in times of peace?" He repeated again that, in making this statement, he did not say one word against a ruler of whom he had never spoken disparagingly, nor did he say a word against that great and gallant people whom all who knew them must admire; but he did say that they must look forward—as was quite consistent with the most honourable policy—to some future occasion when war might break out, and those preparations were made in order that they might not a second time be the vanquished party. He need scarcely refer to what was, he believed, a notorious fact, with regard to which Her Majesty's Ministers were no doubt fully informed—that even since the conclusion of the peace of Villafranca, so far from the activity apparent in the naval arsenals of France having been at all relaxed, it had until the last twenty-four hours, been very much on the increase. Yesterday the noble Lord, after making his statement with reference to Italian affairs, drew the attention of the House to the announcement which had just been made in the *Moniteur*. Now, no one would wish to diminish the importance—whatever it might be—of that announcement, but he might observe that if both England and France had had war establishments, or if the British Government had been making preparations in anticipation of an immediate prospect of war, the announcement of a reduction of the military force of France might have been very important to this country. What he maintained, however, and what he had endeavoured to enforce upon the House was, that the armaments of France were as much above the requirements of a peace establishment as those of England were below them; that we had reduced our establishments to a dangerous point; and that, whatever might be done by foreign Governments, there was a certain *minimum* of power below which this country ought never to suffer its defences to fall. In a time of profound peace, and in a spirit of over-confidence in the continuance of that peace, this country had, in his opinion, allowed her defences to fall to too low a point. They had fallen far below the requirements of a peace establishment, and when he looked back to their condition when the mutiny broke out in India, he must say it was fortunate that at that time it never entered into the mind of any enemy to take advantage of the position of this country. For years past we had been proceeding with dangerous reductions, we had now fallen far below the *minimum* point, and all he wished the House to do was to raise our defences to that *minimum* point below which, even in a time of peace, they ought never to be allowed to fall. He was aware that some hon. Friends of his, whose opinions he valued very highly, would think that these precautions and forebodings deserved very little regard. No man could respect, and honour more than he did the motives and principles of those who were designated, invidiously in his opinion, to distinguish them from the rest of the House, as the "Peace party;" but while, on the one hand, they honestly and conscientiously followed their vocation, he must say, on the other hand, that he believed if their views were carried beyond a certain practical point, they were dangerous to the country. His feeling was that the men who, by timely warning and precaution, averted the horrors and calamities of a warlike attack were the real friends of humanity and of their species; while the men who by blindness, by over confidence, or by weakness, tempted and provoked attack were, although unconsciously, the real enemies and destroyers of their country. He believed that if the principles of the party to which he was referring were carried out to their full extent this country would be placed in such a state of weakness that invasion would be rendered so tempting as to be inevitable. He believed there was no statesman, no diplomatist, no military man in Europe—there was not a soldier in France who did not feel that it depended on England herself whether at some future—and it was to be hoped, far distant day—all that accumulation of the elements of destruction might not break upon her head; and woe to her if the storm found her unprepared; woe to the Ministers of England who might have invited such a catastrophe! There was a certain little episode in the late Italian war which we would do well to remember. We were told that on the night before the battle of Solferino the Austrian generals had made all their dispositions, on the most approved military principles, for surprising the allied army at the hour of nine in the morning; but at six o'clock they were themselves surprised and slaughtered by their enemies. It was to be hoped that Austrian counsels would not prevail in our English camp, and that the tocsin of Parliament would be sounded before it was too late. He did not say that any English Minister would, for a moment, be induced to neglect what he deemed to be necessary for the safety of his country; but he sincerely believed, with all respect, that the present Government were not adequately alive to the magnitude of the occasion. The heart of the country was sound—its instincts true and unerring; its feelings were too strong to be trifled with on that subject; and for the mode in which the Ministers discharged themselves of the grave responsibility now resting upon them in connection with it, they would be called to a strict account. He had spoken out freely on this great question, because it was one on which no false delicacy should prevent them from impressing upon the Government what it ought to know. As far as it depended on the Secretary of State for War, no doubt everything that eminent ability and great energy could do would be achieved, but the labours and the goodwill of one man were not enough to cope with the crisis. Seeing, then, the great fact of our urgent want of preparation, neither on that nor on future occasions should he be deterred from stating to the House what he had now felt it his duty to state, although he had, perhaps, trenched on ground which no other hon. Gentleman had ever ventured upon. Thanking the House for the indulgence it had extended to him, he would now beg to propose his Motion.

Amendment proposed,—

"To leave out the word 'That,' to the end of the Question, in order to add the words, 'the expense of completing the necessary works of national defence, projected or already in progress, should be met by a fund specially provided for that purpose, and independent of the annual Votes of Parliament, instead thereof."

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SIDNEY HERBERT: Sir, I have listened in common with the rest of the House with admiration to the eloquent speech of my right hon. Friend. If I do not follow him through the whole of it—if I do not venture upon the delicate ground on which he has thought fit to tread—it is because I do not wish to give any encouragement to converting that which ought to be a debate on the question of what should be the system and the basis of our peace defences into a discussion upon foreign policy, in which we are to criticise the character, the motives, the past life, and intentions of any Sovereign in Europe. I maintain that in the preparation which we have been making, if such a word can be used, or rather in the defences which we are strengthening and confirming, we are following the legitimate pacific policy which is the true policy of a great commercial country like England. We have no offensive designs—we can have no offensive designs against any nation in the world. Peace is our great security; the great source of our prosperity and our wealth—peace is best suited for the form of Government under which we have the happiness to live. I say, then, that if I now discuss the question of our defences it is not with the view of showing what power we may be able to exercise against any one, but merely what are the means which we are taking, which we hope and which we ought to take, in a time of peace, for putting ourselves in a state of security against any attack. I recollect the time when the spirit prevailing in this country on these subjects was very different from what it is now. The history of our weakness in point of defence is curious to follow. After the long war, when we, like the rest of Europe, were exhausted by the enormous efforts we had made in that great struggle, we believed, and Europe also believed, in a perpetual reign of peace, never to be disturbed again. During that time we lived upon our character. We neglected to reproduce those means of defence which are essential to keep the country in proper security. Even when we began to awake to the danger of our situation, and to the necessity of making some exertions to remove it, the country did not then go so willingly along with us, nor did this House exact from us any increased activity, but the contrary. I recollect when this discussion on our fortifications first arose. I recollect the appointment of the first Commission to examine into the defences of our dockyards. I recollect when my hon. Friend the late Secretary to the Admiralty and myself conjointly were objects of great attack in this House because we had endeavoured to create at Devonport a large establishment for the construction and repair of our steam navy. A Committee of this House sitting upstairs condemned as extravagant the schemes we had then attempted to carry into effect. So far from being extravagant, as it has turned out, those schemes have been since enlarged. They were larger then than anything before contemplated by any Government, or ever carried into execution in any dockyard, but still they were found to be insufficient, and have since been greatly extended. I say this to show that in times when public opinion was adverse, I, at least, was not one of those who remained acquiescent in the then existing state of things. For a long period before that, whether you looked to the army or the navy, but more especially to the army, which has never been so popular with this House as the navy, there was nothing but apathy, neglect, and, let me add, ignorance. We allowed our men to perish, partly because we did not choose to be at the expense of housing them as we ought to have done; partly because we did not believe, but rather scouted as the cry of sanitarian quacks, the notion that men ought to have fresh air to breathe. The other night a debate arose on the subject of the appointment of a Commission to inquire into the state of our fortifications. I am very glad to find that, both as regards the necessity of more rapidly increasing our defences and of instituting a thorough investigation by competent persons into the nature of those defences, before we embark in a great expenditure upon them, we have the testimony, concurrent with my own, of the gallant Officer the Member for Westminster (Sir De Lacy Evans), and of my right hon. Friend the Member for Stroud (Mr. Horsman). I did not, coming in with the new Government to an office of immense detail, attempt at once to pass an opinion upon questions of this description; but as soon as my own mind was made up as to the necessity of some immediate action in this respect, I made to the Government the identical proposal which the hon. and gallant Member for Westminster has made, and in spirit, though not as to the means of accomplishing it, the same proposal as my right hon. Friend has just laid before us. I am satisfied of this, though many persons doubt it, that in a country which like England never, except after long effort and great excitement, has had a large army, and which never will have such an army except after long effort and great excitement, you are bound to take care that every means by which the services of your force, small as it is, can be made more efficacious, shall be immediately adopted. Your army, if small, ought to be the best equipped, best armed, and best trained in the world, and no effort on the part of the authorities ought to be omitted in order to produce that result. But among those efforts it appears to me that, having great dockyards and arsenals in which are concentrated property of immense value, and, what is far more important, the means of sustaining and increasing your maritime strength, there ought to be provided that apparatus for defence which mere flesh and blood can not alone supply. It is cheaper to build fortifications than to depend on the manœuvring of an army in the field. Any military officer will at once admit the truth of this, costly as these works may appear to be; and certainly my right hon. Friend has not exaggerated a bit in the remarks he has made upon the Estimates. He has said, indeed, that we are now proceeding by voting mere "driblets." But that is a comparative term. The "driblet," as he calls it, for the present year exceeds the sum of £400,000. But what after all, let me ask, is the comparative cost of these fortifications against that of an army? The mere pay of an addition of 25,000 men to the army would amount to £757,000, or from that to £900,000 a year. But £5,000,000 spent in fortifying our arsenals would, taking it even at 6 per cent, be only a yearly cost of £300,000; and there is this also to be said of an army, that the men die, the powder and shells are blown away, the rifles wear out; everything has in it the element of decay; but if you have secured a well-considered system of defence by fortifications, that remains not only for you, but for posterity. It must be remembered how essential is the complete defence of our arsenals to the existence of our navy; in war, even a victorious fleet sustains great damage, and requires costly repairs to put it in an efficient state again; the arsenals are the reproducing establishments of our maritime power. Without going into minute detail, I should like to tell the House what are the amounts it has voted this year for fortifications. For Portsmouth, irrespective of the sum already voted, it is £405,000; but that does not complete the defence of Portsmouth; nothing is proposed for fortifying Spithead. Again, for Plymouth, £335,000 have been voted, but that sum will not put Plymouth into a complete state of defence. I could go through the whole list of arsenals, Pembroke, Sheerness, Chatham, Woolwich, they are all in the same state. I have always endeavoured to speak frankly to the House of Commons on this subject; and in this spirit I must state that Woolwich is totally undefended. It is protected by the long reaches of the Thames; still, it is a great arsenal, and at present is defenceless against attack. It has been said that Woolwich is incapable of defence, and that the true policy of England would be to break up the establishment, create others elsewhere, and not risk so much material in one arsenal. That is a question into which I cannot enter tonight; it is a question, however, that ought to be thoroughly considered. I have been asked whether the sums voted will be applied? An hon. Gentleman has remarked that we take the Votes, and sometimes do not spend the money. It is true that at the end of the year, it appears by the accounts that we have not spent the money, and the sums have to be voted over again. I am asked how this can happen? There is a difficulty in public works that does not exist in private undertakings, such as railways. Their projectors work on, and if they are delayed by any accident they make up the lost time afterwards. To show what delays public works are liable to, I may state I have recently heard that a strike is impending among the men employed that may impede certain works in the London district for some time. It is in consequence of such unforeseen delays that it happens the money for public works has to be voted again. It was remarked the other night that the Commission to be appointed to inquire into the state of the national defences ought to have a wider field of investigation. But I want an inquiry into specific objects, I want advice on those specific objects; if you widen the field of inquiry, and direct the Commission to report on military questions, as to where armies should be posted in case of invasion, then you will want another class of men to make the inquiry; you will increase the number of the Commission and delay the report. If I wanted to shelve a question, a large Commission of inquiry would be the best instrument for the purpose. But I want to act immediately, and therefore wish to get the men the best fitted for the task, and confine them to one particular subject. It is not that I have neglected the subject. My predecessor appointed several officers of great eminence to draw up a detailed report as to the steps necessary to make available all our disposable force, and the best means of rapidly increasing it, in case of a sudden outbreak of war. We have got that report, and we are at this moment acting on it as rapidly as it is possible to do. We will go further than that. We wish to see young officers obtaining a knowledge of the military features of the country, and surveys are being made with the view to military purposes; it is not that we expect an enemy actually to land, but we ought to take every precaution in our power, and every Government must wish to see the army we do raise made effective by practical study of the profession. It is the basis of a sound peace establishment you want. That is, however, a question of difficulty. Looking at the Army Estimates, at the enormous sums voted, and at the small force maintained in England, I think nothing can be more unsatisfactory than that we should spend so much money and have so small an army. But what is our peculiar case? We have had to re-arm the whole force; and we are doing so at this moment at a great expense. I may allude, in passing, to a rumour that has been mentioned by the right hon. Gentleman, that in consequence of a rise of sixpence in the cost of each musket, asked by a foreign contractor, I have suspended the contract for a supply. I do not know in what the report could have originated; the only thing on which it can be founded happens to be a transaction of the exactly opposite kind. The only case in which I have meddled with the supply of rifles is by making an arrangement to obtain at a small additional expense, a large supply of a better description. We shall now receive from Enfield 1800 rifles a week instead of 1500. But to revert to the subject of which I was speaking—the late Government sent some very distinguished naval officers to inspect and report upon our fortresses in the Mediterranean. I think nothing can be worse than to submit a subject to a Commission and then to shelve the report. We are, therefore, acting on that report. It states that though some of the works in the Mediterranean have fallen into disrepair, yet no additional force is required for their defence nor any very material change in their defences. Heavy guns may have to be sent out and other things done, but I believe that the notion of any successful attack on Malta or Gibraltar is now absurd. It would have been an easy thing, in the opinion of many, to propose to increase the force of the army by taking a vote for, say, 10,000 men; but that would have made an army on paper. I do not wish to deceive the country. First, actually raise the men, already voted but not got, and then it will be time enough to talk of increasing your regiments. I believe that this country never will have a large army; but the army we have got we must make as perfect as we can. Without a conscription, having to trust wholly to voluntary enlistment, and obliged to compete with the wages of labour, this country can never have a large military force. We have now some battalions coming home from India; if you create a force in the meantime, when these Indian troops arrive you will have a larger army than the country will like to pay for; there will be an outcry for disbanding the additional battalions, and many discontented and idle men will be thrown on the half-pay list. I wish the House of Commons would come to some definite conclusion on these points, and not be so wild for an increase of the army at one time and for its reduction at another. We have got the whole of the ordnance to replace, and very soon all our ships will be armed with a large proportion of rifled cannon. This cannot be done without supplying a new sort of ammunition. These are the things that make our estimates so large while our army is so small. Improvement and change are constantly at work, and I frankly say that I do not see the slightest prospect of any very material reduction in those portions of the Army Estimates, which are applied to the production and reproduction of warlike stores. The right hon. Gentleman has truly said, that without the report of a Commission we cannot proceed upon any plan which may be proposed for our adoption. Unless you can satisfy the public that you are working upon the best plans, and that every care is taken to insure efficiency, you will never get them to go willingly along with you. Whether the work be done by large Votes, or by other means, we must first of all know from a Commission what we ought to do, and then we must do it. Recollect, however, that meanwhile we are not losing time. Not one work is stopped, and every sixpence that has been voted will be spent. I recently asked a very distinguished engineer officer if I gave him *carte blanche* what he could do more than he is now doing. His reply was, that the arrangements necessary for getting large bodies of men together would take time; that the building season was nearly gone by; and that, upon the whole, he did not think he could proceed much faster in the present year. We shall take the opinion of the contemplated Commission as soon as possible, and I believe we shall gain time if the country is satisfied, first, that the works are necessary; secondly, that our plans are approved by competent authorities; and thirdly, that it is absolutely indispensable to vote money for their execution. Here I must take exception to some of the words which I find in the Motion of my right hon. Friend. He says that "the expenses of completing the necessary works of national defence should be met by a fund specially provided for that purpose, and independent of the annual Votes of Parliament." I am not sure that the course here recommended is necessary to any well-considered plan for hastening our works of national defence. Certain I am, at all events, that if you expect Parliament to go warmly along with you in your plans, you must not attempt to cheat it out of the money requisite for the execution of your works. You must allow Parliament to exercise its judgment upon each step as it is taken if you wish to obtain its confidence and co-operation. One or two words upon another point and I have done. The right hon. Gentleman has accused us of not giving due encouragement to the volunteer movement, because it is plebeian in its character. Now, I do not wish to cast any blame upon the late Government, with whom the volunteer corps originated; but I must say, that as far as rifle corps are concerned, we have given much more encouragement to volunteers than our predecessors. I believe that at the present moment there are forming several very efficient battalions of volunteers, and certainly, at all events, it never occurred to me to look upon the movement as plebeian and to discourage it upon that ground. On the contrary, as I stated upon a former occasion, what I want to see is a military spirit pervading all classes of the community, but especially the influential and intelligent middle-class. I believe the volunteer corps will effect that object to a large extent, and therefore, if for that alone, I think they ought to be encouraged. Having thus stated unreservedly the opinion I hold upon all the various points mentioned by my right hon. Friend, and endeavoured to satisfy the House that we are not altogether idle, I shall only add that the moment I came into the onerous, difficult, and responsible office I now hold, I turned my attention to this very serious subject. I have been engaged upon it ever since, and the House will probably be glad to hear that the proposed Commission will be issued shortly, and that the gentlemen nominated on it will be set to work as soon as possible thereafter. Whenever the Government are put in possession of their Report they will give their most anxious attention to its subject-matter; and, instead of shelving it, as is too frequently done, they will make it the foundation of immediate and energetic action.

Sir FREDERIC SMITH said, there were three kinds of defensive fortifications, all different in their character and objects. The first kind consisted of defensive fortifications for our coasts. He believed these were not required under present circumstances to the extent contemplated, and that the construction of them would only be money thrown away. Then there were fortifications for the defence of our arsenals. These were necessary in a limited degree, and he trusted that the Commissioners about to be appointed would recommend such works only as the exigencies of the country might demand. Fortifications of the third class were intended for the internal defence of the kingdom. He believed they were not generally suited to England, although the highest military authority which this country ever possessed, the late Duke of Wellington, thought that works of internal defence, to a limited extent, should be established at such places as Croydon, Brighton, and elsewhere. But if these works were constructed, soldiers must be found to man them, and, therefore, for his own part, he was anxious to see the defences of our dockyards restricted to the smallest possible scale; and if, as he believed, gigantic works were about to be constructed at Devonport, he trusted the Government would well weigh all the circumstances of the case before they embarked the country in an expense of that nature. He was informed that the force requisite to hold the proposed works at Devonport would be between 30,000 and 40,000 men, and he was at a loss to know where such a garrison could be found with our present limited number of troops. Our army upon paper amounted only to 110,000 men, and if 40,000 were abstracted for Devonport, 30,000 for Portsmouth, and large garrisons for Chatham, Sheerness, and other arsenals, it was plain that only a comparatively small number would remain for service in the field. We never could have a large regular army in England, for it was opposed to the feelings of the people; and if we employed our troops in the defence of our coasts in the manner proposed, how should we be able to meet the exigencies of a campaign? We were also going to construct works for the defence of our commercial harbours, but he trusted that their defence would be undertaken by the local residents, because it would be impossible to find regular troops for the purpose. But what he wished to impress upon the Government was the necessity, whatever they might resolve to do in the way of constructing fortifications, of doing it rapidly and effectively. The cost of the works themselves was greatly increased by delay, owing to the additional charge it occasioned in superintendence. He hoped that the Commissioners would be authorized to consider the question whether our defences should be maritime, military, or a combination of both. Great Britain could not be defended by our troops alone, even though aided by our militia and volunteer corps, if, as we had been told, armies of 50,000 men each could be simultaneously landed at three or four different spots, with the view of marching upon London. As an old soldier, he recommended the Government to think seriously of our naval defences, for, after all, we must trust mainly to the wooden walls of old England, and nothing ought to induce us to reduce our navy. We could not depend upon the rapid manning of our navy in case of an emergency, and therefore the Government ought to take care not to disband our sailors. Our force afloat must be kept up and increased, if we wanted to be safe, and he trusted that the Government would think seriously of this, and would be ready to maintain a large and an efficient fleet.

Sir CHARLES NAPIER said, he had listened with great attentien to this debate, and quite agreed as to the absolute necessity of keeping the country in a proper state of defence. He did not think, however, that this end would be attained by spending enormous sums in fortifying our seaport towns. For instance, Portsmouth could only be taken by *coup-de-main,* and by a fleet running into the harbour, which was too shallow for large ships, and the entrance to which might easily be blocked up by two or three sunken vessels. As to fortifications at the Isle of Wight or in the vicinity of the Needles, they would be of no use. Fortifying Gosport was also of no use, as it would only prevent its being taken by surprise. During the last war, when we had all Europe, and America too, against us, what constituted the defence of this country? Napoleon I. collected 3,000 vessels at Boulogne, and an army of 200,000 or 300,000 men. The English Navy, however, prevented invasion. Thanks to the experience of our officers and sailors, our ships were able to remain in the narrow sea there, and hardly a vessel was lost. It was a great mistake to allow our navy to fall so low, and we had got into the state in which we were, because we had not adopted steam in our navy as soon as we ought. In 1848, when he commanded the Channel squadron, the first line-of-battle ship—the *Blenheim*—which was even fitted with a screw, was under his command, and though she was a very inferior ship, on the very first day she joined, she went to windward of the whole fleet. This success was reported to the Admiralty, but they did not go at once as they ought to have done. Three other ships, which were afterwards fitted with screws, were found to answer as well as the *Blenheim.* Why did not the Admiralty go on further and with better ships. After the expedition to the Baltic in 1854, the French had only one screw ship of the line, but now they had got thirty-three. The House must always remember, however, that we wanted not ships alone, but men. Now, a lamentable blunder was committed after the Russian war in paying off our ships and in getting rid of the sailors whom we then had at our command. It was said that the French would reduce their naval force, but what would really be done? The seamen would be discharged into their barracks, and this would be called reducing their fleet. These sailors could be called out immediately; they would go on board their respective ships with their officers all told off to their different stations; and in the course of forty-eight hours their ships would be just as complete as the day they were paid off. It had been stated that in France the number of sailors registered between 20 and 40 years of age was 50,000; and that, adding to these the men who were recruiting and marines, there would be a force of somewhere about 90,000, if France were called upon to embark in a naval war. The fact that France had but few colonies to defend would be a great advantage to her in such a war, and French officers advised not defensive action upon their own shores alone, but that a vigorous attempt should be made to strike a blow at our coast. We were told, and the country believed, that we had now twenty-six sail of the line fully manned, and fit for any service. That was not the case. There were in the Mediterranean 14 sail-of-the-line and no more. These ships were newly and imperfectly manned, and our officers there were without any practice whatever. Well, instead of 12 sail-of-the-line as a Channel fleet, we had at the preset moment only seven, and he did not believe that fleet had been one month at sea all the time it had been in existence. Now, that was not the way to give our officers and men experience. Small matters of drill might perhaps be taught in harbour, but the crew could not be thoroughly disciplined there; and if at this moment the Channel Fleet were told to get under weigh at St. Helen's Head, and proceed to Portland roads, and anchor within a cable's length of one another, he believed they would have to get their steam up to enable them to do so. The officers and men were not to blame for this; it was the Admiralty, who did not give them proper opportunities of exercising. On the other hand, the French were kept constantly at work; their squadrons were always at sea in the Mediterranean; in the war just concluded they had carried an enormous number of troops between Marseilles and Genoa; while they had always great practice in embarking and disembarking troops between Toulon and Algiers. He considered it a disgrace to the Government of the country and to the successive Boards of Admiralty that the British fleet should be in such a state as it now was, and that it was not efficiently manned, notwithstanding the stimulus of a large bounty had been offered to those who would consent to enter the service. He was the more strongly of that opinion when he took into account the great necessity that existed that we should have an efficient naval force, for he was one of those who was prepared to say with Mr. Tierney, "Give me a full exchequer and a well-manned fleet and I will defy the world." If we had such a fleet it would not be requisite that we should lay out so much money as was contemplated upon the erection of fortifications, some of which would not, it appeared, be completed for a period of five or six years, while the Emperor of the French might meantime attack us, choosing those points on our shores—as he very naturally would—at which there were no fortifications to interfere with the landing of his troops. The House might rest assured that our best protection against such an invasion was to maintain our superiority at sea, and if that superiority were not maintained we might depend upon it that the country would not be worth six days' purchase. He had no hesitation in making that statement, for all that France need do would be to lay an embargo on all her steam vessels to transport troops across the Channel, and when it was taken into account what an enormous military force she possessed, he should like to know, if our comparatively small army could make a successful resistance against its encroachments? Besides, if we were to lose our superiority, and the French were to succeed in beating us in one naval action, our prestige would be gone and the whole country would become dispirited. [*Cries of* "Oh, oh!"] Hon. Members might cry "Oh, oh!" but he spoke from experience, and he should, therefore, strongly advise the Government to take every means in their power to render our fleet efficient. It was his belief that England stood more in need of adequate means of defence at the present moment than at any former time. France had made peace. The Emperor of the French had just gained greater victories than even his celebrated uncle had achieved. He had, not having been educated as a soldier, performed extraordinary feats, and he (Sir Charles Napier) believed in his conscience that if he found us asleep he would not hesitate to make the attempt to add to his other enterprises the invasion of this country. For those reasons he implored of the Government to be upon their guard, and when France talked of disarming her navy, he hoped that England would be satisfied with nothing less than dismantling, as well as unmanning her ships.

MR. COBDEN: Sir, I do not pretend to enter on this discussion with the object of attempting to throw any light in a technical point of view on the question at issue. I may, however, observe that the remarks which have been made in the course of the speeches to which I have just listened convince me that we have arrived at a stage in this matter of our defences at which it is quite clear that the old appliances and the remedies which we seek to apply are no longer of use. We have been asked to vote this year for this purpose no less than £26,000,000 sterling; £12,500,000 of that sum, or nearly twice the amount which was voted for a similar object when I first entered this House, being to defray the cost of our navy. I may add that we are called upon this year to vote nearly three times as much for the navy as was the case in 1835 when the Duke of Wellington and Sir Robert Peel were at the head of affairs. Yet, notwithstanding all this, my right hon. Friend near me (Mr. Horsman) comes forward and says we do not possess even a *minimum* establishment. He contends that we must set every dockyard, public and private, at work, while the gallant Admiral who has just spoken is of opinion that the same course should be pursued with regard to every man in the country. It is quite evident, therefore, that no sums which we are now voting are likely to bring us to a satisfactory result in reference to this subject, and it is with the object of asking hon. Members to consider whether there is not another view of it which might more properly be taken that I have risen to address them on the present occasion. I should like to know whether we have not been in a state of panic and alarm with respect to the point under discussion, and whether we have not, while under the influence of some hallucination as to the supposed danger which besets us, exaggerated and mistaken the evil with which we have to deal? I have for some time been out of the range of Blue-books, and it is only two days ago that I stumbled by accident on a paper which was originally prepared for the private information of Government, and which gives a description of the relative strength of the English and French Navies. Now, I read that paper, but I must confess I should have done so with some incredulity, had I not within my recollection an incident which occurred seven years ago, and but for which I should hardly have dared to quote such a document after what we have lately heard in reference to the awful warlike preparations which are being made in France. At the period to which I allude a panic prevailed with respect to a French invasion to as great, if not to a greater extent than at the present moment. I recollect, indeed, having laid a wager at the time with a general officer on the subject, who now pays ten guineas a year to the Manchester Infirmary as the penalty of having lost. I was unable then to procure that information from our own Government which I desired with reference to the relative naval resources of France and of this country. The consequence was that I wrote to France myself at the end of 1852, and got from the French Government a statement of their naval budget for that year. I placed it in the hands of gentlemen who had control over some influential organs of the press, one of whom now sits in this House, and is the representative of a journal of great power in the north of England. Those gentlemen made use of it honestly, and endeavoured to stem, so far as they could, the torrent of alarm which had spread throughout the land. I recollect my hon. Friend the Member for Dumfries (Mr. Ewart) wrote at the same time to the French Minister of Marine, M. Ducos, and the answer he got, and which was published in the papers, was, that the French Government had not added one boat to their marine or one gun to their ships. Having the recollection of those facts, it has helped me to a belief in this document. My right hon. Friend below me talks of gigantic preparations for the invasion of a gigantic naval Power. What does this document say? The only way we can treat this fever is to come back to the statistics of the matter, and try if we can treat them without going into a fit. I have had an opportunity of reading this document over with friends acquainted with nautical affairs. It is a document published by our own Government, drawn up by a Committee of their most confidential servants, and intended for their own information. It gives a comparision of the state of the two navies, what they were in 1852 and what they are now. If the House will be a little calm I will endeavour to soothe the apprehensions even of the gallant admiral. It is admitted that the French have a superiority in steam frigates. We have a considerable superiority in screw line-of-battle ships. [Sir CHARLES NAPIER: "No, no!"] That is, the number of our screw line-of-battle ships built and building, against the French built and building, give us a superiority of ten or fifteen, and that does not include the block ships, which my friends tell me are as good as French line-of-battle ships. But leave that out of the question. They are about ten inferior to us in screw line-of-battle ships, and in frigates they are superior. Mark the fallacy of this comparison. You leave out of the computation the rest of the navy; you leave out sloops and corvettes, which, according to the wisest authorities, are the most powerful and the most valuable of all vessels of war. America is only building that description of vessel. I will show you what the comparison is:—In 1852 the

English had 176 steamers; in 1858 we have 464, being an increase of 288. In 1852 the French had 122 steamers; in 1858 they have 264, being an increase of 142, against our increase of 288, or just double. In 1852 the English had of sailing vessels 299; in 1858 we have 296, being a decrease of 3. In 1852 the French had of sailing vessels 258; in 1858 they have 144, being a decrease of 114. So that while the French have diminished their sailing vessels 114, we have diminished ours only 3. And here I may remark that that arose from this circumstance. This vast increase of the French has arisen from the conversion of sailing vessels into steamers. We have been going through the same process with our sailing vessels, but we have been building sailing vessels at the same time; so that while by converting some, as the French have done, we have up to within three the same number as in 1852. The French have not been building sailing vessels, and therefore their decrease of sailing vessels is 114. Take the whole force of sailing vessels and steamers in 1852 and now. The English had of steam and sailing vessels in 1852, 475; in 1858, 760, showing an increase of 285. The French had of steam and sailing vessels in 1852, 380; in 1858, 408, showing an increase of 28. This is the great increase of the French navy of which hon. Members have been speaking. They have 28 more vessels, and the increase of the English fleet in the same time is 285 vessels. I am at the present moment doubting whether I must not have made a mistake, and I ask for corroboration from those who have had more time than I have had to give to the investigation. But if this be true that we have 760 English ships of war against 408 French ships of war—if we have increased by 285 vessels since 1852 against the increase of the French of 28, what becomes of these gigantic preparations of this gigantic naval Power with which the right hon. Gentleman below me is so horrified? I alluded to what I must term the uncandid omission in the comparison of our forces of these corvettes and smaller vessels of war. I am going to make a remark which I should not make on my own authority; but I am very apt to learn from those who know better than myself, and I am told by the wisest heads here and in America that those large line-of-battle ships, upon which we are pluming ourselves as our sole defence, in case of war would be found mere slaughter-houses. I know that that opinion is acted upon in America, where there is only one line-of-battle ship, and the fleet is exclusively made up of long low corvettes, which are equal they say to the old seventy-fours. But the argument which I heard was this:—If you put 1,000 men in a line-of-battle ship with thirty or forty tons of gun-powder under them, and expose the vessel to missiles from these improved guns, you are only offering a huge wooden target, which may the more easily be destroyed by smaller vessels. I may be right or I may be wrong, but this is corroborated by a paper in the report to which I have alluded, in which the opinion is expressed that no more ships of the line will be built, and that in ten years that class of vessels will have become obsolete. That brings me to the point to which I wish to call attention, and it is this:—In the present rapid process of discovery and improvement in both gunnery and the building of ships is it not quite apparent that we are going to be subjected to a great and constant increase of expenditure in the substitution of one kind of gun for another, and of one kind of ship for another? It seems to me that this is a novel state of things which ought to act as a caution to hon. Gentlemen how they needlessly increase expense in any kind of armament, because they are totally different to what they were twenty years ago. I sat upon a Committee twelve years ago, and then there were no screw line-of-battle ships. We were only just dispensing with the old carronades with which Nelson won his victories. It was thought that 32-pounders were the *ne plus ultra* of armaments, and paddle-wheel steamers the most perfect of war vessels. Twelve years have passed; sailing vessels have almost disappeared; paddle-wheel steamers are going, and 32-pounders are no longer valued—nothing less than 64 or 98-pounders carrying hollow shot and shell. The whole thing is completely metamorphosed. The Secretary of War tells us that we shall have 50 line-of-battle ships before the end of the year; but let us remember that the wisest heads are of opinion that in case of war it is better to put men and guns in anything but line-of-battle ships, and the impression is gaining ground amongst yourselves that you ought to adopt a lower and longer class of ships. You have improvements in gunnery so that you can throw shell horizontally three or four miles. If you strike a ship with a shell it will blow it to atoms, and it stands to reason that it is better to have small vessels than large marks for shot and shell, with 1,000 men in them and 30 or 40 tons of gunpowder. Do you suppose that in 1859 you have got to the end of discoveries? It is only just now that men of science are directing their attention to these things, and I see by the last American papers that they are making trial of a rifled cannon which will supersede the Armstrong gun—carrying twice the distance with the same charge of gunpowder. There is no reason why you should not adopt new inventions, but there is great reason why you should not have a larger stock on hand than you can help, because new inventions are constantly being superseded by others, and you have to throw away large sums by keeping up immense armaments, which presently you will have to change for something different. Then comes the question, as you are not nearer a removal of these alarms by your armaments, is there no other way, no other remedy for the evil? Cannot reason and common sense be brought to bear upon this matter, as upon other evils and troubles in the world. Whom are you afraid of? Is it France? No one can say that there is anything to fear from America, or Spain, or Holland, and I should think I might add Russia at present, after having destroyed so recently her fleet in the Black Sea, and limited her future armaments in that quarter. You cannot read a newspaper but you find that it is France only who is the cause of alarm. I have read some documents to show that you are unnecessarily alarmed with regard to France? Is our Government in friendly relations with France? Have not we heard from my noble Friend at the head of the Government and from the noble Lord the Member for the city of London that they have the most perfect confidence in the loyalty, the good faith, and the fidelity of the Emperor of the French? Well, is that true or not? The country does not believe it is true, that is certain, and the reason is this—because while the Government tell us that they have confidence in the Emperor of the French, they present us with a bill of £4,000,000, or £5,000,000 for an increase of our armaments; and everybody understands that that increase of armaments is to protect us against the Emperor of the French. Now I cannot imagine anything more dangerous than this state of things. I have come to the conclusion for the first time that we are in very great danger of a war with France. I have heard an altered tone since I have returned to public life, which is not long ago, and since I have had an opportunity of mixing with politicians. I have heard persons say, "We had better fight it out, and destroy the French Navy." And they argue very intelligibly, for it must come to that in the end, because if we go on at this rate every year increasing our armaments when there is no intelligible ground of quarrel, and when the Government tell us they have perfect confidence in the French Emperor—if we go on increasing the expenditure for our armaments by £5,000,000, for which we shall have to pay 4*d.* in the pound income tax, and we shall have to pay it all in October—if this is to go on, and there is no quarrel between us, what is ever to put an end to it? What has happened this year must happen next year if no explanation is to be made between the two countries, and people will very naturally come to this conclusion—"If we are to go on in this way, we had better fight it out." Now, I should be very sorry for one moment to lose sight of the question of humanity in considering this matter, but, apart from the question of humanity and the life and blood of human beings, there is no logical answer to that, and everybody who considers the subject must feel that quite as strongly as I do. I say we are now drifting towards that state of things in which the English people will be reconciled to the necessity and even the inevitableness of a war with France. As to the responsibility for this state of things, I do not say that this or that Government, or that either Government alone, is responsible, but I say that both these Governments are responsible, because, while they profess to be in friendship and amity with each other, and hold most confidential communications with each other, they have been increasing their respective forces to go to war with each other. While the Courts of these countries have been holding most intimate and friendly intercourse—under a former reign they embraced in bathing-machines—while the French Court has been received with courtesy and honours at Windsor—while all this has been going on I say the Governments at the same time have been preparing for the outbreak of war, and have never shown the slightest confidence in each other. This has degraded the policy of the Governments in the sight of the world. It is degrading to the policy of civilized and enlightened States, and below the conduct which the Red Indians pursue in the woods; for when they have waged battle with each other they bury the hatchet and smoke the pipe of peace, and do not insult and menace each other. We on the contrary say that we must make constant preparations for war, and must constantly be prepared for a sudden attack, while the mouths of the Ministers of England and France are filled with expressions of confidence in and adulation of each other. I cannot excuse my hon. Friend (Mr. Horsman), who is here, and who fell into the same error. My hon. Friend said a great deal about the intentions of the French Emperor. If I had believed them I should not have paid the French Emperor the same compliments. But, accepting things as they are, we are just now in that predicament in which I dread a separation of Parliament; because I know that when Parliament is not sitting the organs of public opinion, that are not always quite as peaceable as we are in this House, will be left in possession of the field, and will have a better opportunity of exciting a hostile feeling between the two countries. I am more afraid of the recess than of the time in which Parliament is sitting. I am anxious, therefore, that this House should, if possible, give expression to a different state of feeling and other views than those which I have seen prevailing out of doors for some time upon this subject. Now, is it impossible, among the other friendly communications that are passing between these two Governments, that they should exchange a word of explanation with each other upon the subject of these armaments? Has my noble Friend at the head of the Government, has my noble Friend the Member for the City of London, has the right hon. Gentleman opposite (Mr. Disraeli), has the Earl of Derby ever exchanged a single word in explanation with the French Government with regard to its preparations for war? Now, don't let me be told that we have not been preparing as against France. Everybody knows that it has been against France, and against no one else. Why, look at our facetious weekly paper that comes out to-day. It represents John Bull complaining of the heavy extra insurance he has to pay for his house against fire, because his next neighbour—and you cannot mistake who that neighbour is—is very fond of fireworks. Why, you cannot deny it. Look at your organs of opinion from the highest to the lowest, look at the *Edinburgh Review*, look at the *Quarterly Review*, look at every newspaper, from *The Times* downwards! Look at the provincial newspaper press—are they not occupying themselves at this moment with fears and threats of invasion? Why, as I came to the House this day, I was struck with a communication from "our own correspondent" in Paris. I cut it out, and here it is. This is the very latest *morceau*:—

> "At Toulon, notwithstanding the peace, applications for leave of absence are refused, and the men-of-war in harbour are armed with picked crews. Tomahawks and boarding pikes are being distributed among the ships in harbour, but principally on board the *Ville de Paris*. A war with England is, of course, looked upon as imminent from those ominous preparations."

The only omission is, that they did not distribute scalping knives as well as tomahawks among those ships. These are the raw-head and bloody-bone stories that are told to us from day to day. Are we to fall into false security, and say on the faith of an old Latin proverb, that if we wish to have peace we must be prepared for war? In our time, at least, we have seen the delusion of that old saw, and that one of the surest ways of bringing about a war is to make great warlike preparations. Has not that lately been the case with this country and with Russia, Austria, and France? Have they not all been engaged in war of late years, and is not the reason for that to be found in their enormous standing armaments. I perceive by an elaborate article in the *Edinburgh Review* that we have a fleet now which in its tonnage and in the weight of metal that can be thrown by its guns exceeds that of 1809, when we were at the very height of our war armaments in the great French war. Well, with this navy don't you think there is some danger of our falling into that which the Earl of Aberdeen described as a desire to test the efficiency of our great warlike preparations? What is so likely as that something may occur in Egypt or somewhere else that may afford us an opportunity for a test of that sort, and that we may find ourselves in that condition of which we had scarcely dreamt—that of being plunged into a war with our next neighbour? Now, I say, can nothing be done to prevent this? Does it not lie with this country as well as with France to prevent it. I ask you what proof you have that France intends to invade you? I ask you what warrant you have for entertaining these suspicions of the

French Emperor and of the French Government. It is not, you say, for attack, but for defence against invasion that you are preparing. Englishmen never before felt this panic about invasion. I have never read in English history that Englishmen were alarmed about invasion. Do not Englishmen perceive the insult to France involved in this panic? What should we ourselves think, if the French were constantly assuming that Englishmen, without any ground of quarrel, and without notice, would invade France? Is there not some blame to be attached to us? I shall probably be answered that the Emperor of the French has shown himself unscrupulous in attacking a neighbouring military Power. Well, I can only say this, that I should be the very last man to wish to see any two neighbouring countries at war for any object, because I think there is nothing rational that could not be achieved without war. But it must not be forgotten that the whole opinion of the world was in favour of the French in the war against Austria on that occasion, and that the Austrian Government — though I do not like to speak disrespectfully of any foreign Government—in Italy has been regarded as a source of danger, a terrible infliction, and a constant nuisance to Europe ever since it was established there. But to give help to a discontented population against the oppression of a foreign Power is a very different thing from attacking us. Why the French have as much reason to fear an invasion by us as we have to fear an invasion by them. We stand at the head of the list of the customers of France. France exports more to this country than to any other country in the world. We stand at the head of her list of customers. We fear sometimes that the French may come over here and rob the Bank of England. Why, generally speaking, there is a great deal more specie in the Bank of France than in the Bank of England. I believe that there is more jewellery in France than in England, because they like that sort of thing more than we do. We put more capital in steam engines. But nothing is so ridiculous, when you come to think of it, as to say that a country that abounds in so much wealth and that stands at the very head of civilization—for it gives the fashion to all civilized nations from St. Petersburg to New York —is suddenly to fall from the rank of a civilized country and descend to the grade of a mere Filibuster, and attack us without notice. Now, am I to be told that I am one of those peacemen that are rushing with their eyes shut into danger? Why, are not those people more fanatical than I, who overlook all these obvious grounds for peace on the part of France, and consider that France is going to act precisely as if she had none of these obligations to keep peace? What is our conduct with regard to our own armaments? Are you sure that France has been the provoking cause of these great armaments? I have been mixed up with this question of French invasion longer than any hon. Gentleman here. For the last fifteen years I have endeavoured to bring about a reduction of the armaments of the two countries. I have kept a careful watch over this subject, and I am by no means prepared to admit that France has led to the great increase in our armaments; on the contrary, I believe that if you will investigate the matter you will find that by our increased expenditure upon our fortifications and in our dockyards we have always taken the lead in all the increase of armaments that has taken place. There was a Vote of £1,500,000 for docks for the steam navy at Keyham, which I opposed, and I well remember that the result of that estimate was that it was proposed in the report of the French Minister of Marine that similar works should be instituted at Cherbourg and Brest. In 1851 I moved an Address to the Crown, which was so reasonable that the then head of the Government met by moving the previous question, for he could not venture to meet it by a direct negative. I moved an Address that the Government of this country should enter into communication with the Government of France to try if we could not stop this rivalry of military preparations, and if possible to effect a reduction in armaments. I brought forward evidence to show that France was arming in consequence of what England was doing. I brought forward quotations from the speeches of the Minister of Marine that the French Government were increasing their navy because we were increasing ours. Suppose the Government of this country entered into explanations with the Government of France. Would not those explanations be likely, without compromising our honour or dignity in any way, to lead to a cessation of these armaments, and thus put a stop to this absurd rivalry? France has a large extent of coast which entitles her to maintain a large navy, but it does not follow that France desires to have as large a navy as you. I say that France ought not to have as large a navy as England. Nay, I go further, and say that if I saw a disposition on the part of France to have as large a navy as England, and especially if I saw a disposition not to yield to the offer of an explanation, I should suspect France of having a sinister purpose in those armaments, and, if it came to a question of rivalry after that offer of explanation had been made, I would as cheerfully vote £100,000,000 sterling as I would vote £5,000,000 under the present system, and for this reason,—and it is a reason to which I am sure the French would yield if it were properly put to them—that England has no frontier but the sea, and has, unfortunately, forty or fifty colonies which have no defence except her navy. England has five times the mercantile navy of France, and this gives her the right to have a larger navy than France, while France, as a military Power, requires to have a large army to guard her frontier against the other great military Powers. It is impossible that France should not yield to such reasonable arguments as these. I very well remember that M. Thiers, M. Lamartine, and other great authorities before the present dynasty, distinctly laid it down that France had no occasion to have as large a navy as England. I quoted on a former occasion a speech of M. Thiers, who said that when France was deciding upon her army she looked to the force of Austria and Prussia, but when she considered what naval force she ought to keep up she looked only to Plymouth and Portsmouth. But he added that France had no pretensions to keep up so large a navy as England. I remember also an expression which was used by him, or by some other statesman of the same class, to this effect—that it is right that some power in Europe should have a considerable navy to prevent any one power exercising a despotism on the sea. But they never pretended, and I do not believe they pretend now, to have the same naval force that England keeps, and has a right to keep. Now, if some explanation of this sort had been offered and accepted in a cordial spirit, I ask another question—why are we not to have a reduction of the navy in the same way that we had an increase of it? I have been alarmed at what has recently occurred, and so have been the quiet and influential people with fixed incomes, who find they are to have 4*d.* in the pound deducted next October. These people with fixed incomes are liable to be severely affected by the high price of provisions, and they will begin to ask how is this? They find you have increased your navy upwards of £4,000,000 in one year. My hon. Friend, who is well acquainted with the navy, says that before the Bill is paid the increase will be nearly £5,000,000. You have increased your navy to that extent on the understanding that there is some risk or danger from a neighbouring Power. But if you have amicable explanations with that Power, if you are satisfied that the Government of France has no disposition to rival you with your armaments, but is disposed to agree to a proportionable reduction of them, why should not the tax-payers of this country be relieved from their burdens, seeing that the ground for this rivalry no longer exists? Do not let me be misunderstood, because the great difficulty in these controversies is, that you do not accept your opponent's definitions, and agree to common premisses. I do not say that you should have a disarmament, as that word is commonly understood. I do not want it, and I do not want to reduce our navy to the same amount as that of France. But let it be assumed that both Governments agree to some proportion; that, for instance, the French navy should only be two-thirds of ours, that where they have two ships we should have three,—and we have that proportion already. I do not say it is necessary that such an understanding should be in writing for the Governments might agree to that as they agree to more important things without putting it in writing. Are we to consider that £26,000,000 a year is to be our normal state of taxation for military and naval armaments? I think it will be found that unless cause can be shown, the country will not tolerate a continuance of that expenditure. But, I ask again, why should not the attempt be made to reduce it? Where is the insuperable obstacle to a better understanding between these countries, when you have, as you say, such confidence in the loyalty and friendliness of the Government of France? You ought to look a little to what other countries are doing that are not within our political circle in Europe. It ought not to be without its bearing upon this country that there is a great and growing country which keeps aloof from the politics of Europe and thus avoids the expense of these enormous armaments. What effect can it have, except to our disadvantage, to go on maintaining the armaments of a state of war in a time of peace? What will be the effect of your rivalry with the United States? In proportion as you burden the people of this country with unnecessary taxation you have an increased difficulty in competing with that Transatlantic community. One result will be that you will offer constantly increasing inducements to the people of this country to emigrate. That is not a thing which is desirable. Is it desirable, then, that you should keep up this unnatural state of war in a time of peace? It has been said that we are, and ought to be, a military power. But have we prospered by being a military power? Was it not formerly our boast that we were not a military power, and shall we be improved by importing among us the habits of military communities? Look at the effect in increasing the already too great disparity of the sexes. If you take away your able-bodied men for the navy, if you lock them up in barracks, while emigration is at the same time going on, the disparity will increase. By the last Census you had 500,000 more women than men, and if this state of things goes on, by the next Census the number will be increased, I fear, to 1,000,000. That is neither desirable nor natural, but that is the state of things which will go on if you increase your military establishments at this rate. Is anybody benefited by this rivalry and this enormous expenditure? Who are they who have not a greater stake in the prosperity of the country than in any benefit that any member of their family can derive from the extent of these establishments? That is the only patriotic and sound view, for we have all an interest in keeping down these naval and military establishments. I would submit to these evils when they are necessary, but for Heaven's sake do not impose them on the people a moment longer than you can by reason, argument, and justice remove them from among us.

Sir JOHN PAKINGTON: Sir, I am desirous, before this discussion closes, to offer some few observations to the House, and I wish particularly to notice some portions of the speech of the hon. Member for Rochdale. In the early part of his speech the hon. Member instituted a comparison of the state of the English and French Navies, but in that statement he made an omission—no doubt unintentionally—which goes very far to destroy the value and importance of the statement he made. The hon. Gentleman entered into a comparison between the actual strength of the English and French Navies, in order to show the total amount of the screw steam vessels in both navies, and he inferred that the English Navy was stronger than the French Navy in the ratio of that difference. But the hon. Gentleman omitted the fact that in that apparent superiority of strength on the part of the English Navy 160 of those vessels are gunboats, and therefore vessels, as every hon. Gentleman knows, of extremely small size, carrying only one or at most two or three guns each. No doubt they are important vessels for the purposes of home defence, for acting on our shores or in our harbours, and so far they constitute an important portion of our naval strength; but when the hon. Gentleman enters into a positive comparison of the two navies, and founds his comparison on the numbers of vessels in each, I think he was bound to state that 160, which is a large number, are small vessels of this description. The hon. Gentleman also commented much on what he called the impolicy, as I understood, of persevering in the construction of line-of-battle ships, and he founded his opinion on his recent experience of the United States, where he says they have entirely abandoned the construction of large ships of that calibre, and have discovered that heavy corvettes are more valuable for the purposes of war. No doubt there is much truth in the hon. Gentleman's speech, but I may be allowed to remind him that we have been told by the Secretary for War that we are living in a time of most rapid improvement and change in the means and appliances of war, and the hon. Gentleman I think could hardly contend that in the general rapidity of improvement a great nation like England is to stand still merely because it is uncertain what the next great change will be. It is impossible for any great nation to do that; we must protect our interests and establish our armament as best we may in reference to existing circumstances; and I say that in the existing state of things it would be the height of impolicy, the height of imprudence, for England to allow other nations to go ahead in the construction of line-of-battle ships, and leave us in an inferior position to that of other nations in reference to that important armament. It may be possible that in the course of years that class of ships may be less in vogue than at present; the late Board of Admiralty had considered the whole question—and I hope that the present Board will adopt their policy—but it is necessary to establish the undoubted and unquestionable superiority of England, and having once attained the number of ships which would place us in a position of superiority, it was our intention to suspend the further construction of line-of-battle ships until the experience of these heavy iron-clad corvettes and other improvements in naval architecture had been obtained. The hon. Member for Rochdale also alluded in terms of complaint to what he calls the great panic which exists in this country in regard to France. He spoke of the panic which existed seven years ago, and complained of that which exists now. Does the hon. Gentleman mean to argue that because there might be an undue alarm in the public mind with respect to the possible invasion of this country by France, we ought to suspend our preparations, trust entirely to amicable arrangements with France, and take no measures for the defence of the country? I trust that is not the view of the hon. Gentleman; and from one passage in his speech, which I heard with great pleasure, I am disposed to think he is not of that opinion. I understood the hon. Gentleman to say that if he were once satisfied that the French intended to invade us, and were not disposed to enter into the amicable arrangements which he contemplated, he would be willing to vote £100,000,000 to place this country in a proper state of defence. I heard that statement with sincere pleasure. I do not think the hon. Gentleman can entertain any other sentiment, and I believe the country generally will readily adopt the same liberal view, should circumstances ever render it necessary. There is no one less disposed than I am to say a word that might induce a feeling of anything like panic; but in discussing a question of this kind, which has been so ably brought before us by my right hon. Friend the Member for Stroud, I think it unwise to look only to the French or to any one country in particular. It was said with great wisdom by the Prime Minister that there are other countries to be considered besides France; and I think that it would be the wisest course to look at the question not as a comparative question with relation to France and Russia, but as a positive question, in which we recognize the absolute duty imposed upon the nation to take care that its means of defence are in the state they ought to be, having due regard always to the degree of preparation in countries abroad. It has been said by the Secretary for War that we are engaged in these efforts, not from jealousy of France or any other country, but in order to make up a long arrear of neglect. No doubt that is so. At the end of the last great European war we fell into a state of false security. We thought the world would be at peace for ever, and we allowed our preparations for a state of war to cease. As has been truly observed, we have been living on our capital, and now we must incur the cost of raising those means of defence which in common prudence we ought not to have neglected for a day. I repeat what has been said by the hon. Gentleman, that the policy of this country is essentially a policy of peace. We have no idea of aggression against any country; we desire peace, and, above all, to cultivate amicable relations with France. The happiness of both countries, and, indeed, of Europe, depends upon these friendly relations being maintained, but that is no reason why we are to neglect those precautions which every great nation ought to take to preserve its position among the other nations in the world. One point has been made an illustration by my right hon. Friend the Member for Stroud as to the necessity of some broad and intelligent policy being adopted by the Government. I allude to the case of Portland. What has been done there? We have established a large naval harbour, to which our fleets are constantly resorting, and we are told by the Minister of War that that noble harbour is absolutely without defence, and not only that, but that if the Votes of money for our naval defences go on at their present rates, it will take twenty years before that harbour will be put in a proper position of defence. On the whole, I heard the speech of the right hon. Gentleman the Secretary of War with great satisfaction. I thought he put the tone and spirit of the speech of my right hon. Friend in the fairest possible manner. The right hon. Gentleman made a statement with regard to the coming year which was a very satisfactory statement;—namely, that the arrangements of the year with regard to the important point of continuing the construction of our fortresses for the defence of our arsenals and harbours were so good that if more money were granted for that purpose it would be difficult to spend it. I understood that to be the statement of the right hon. Gentleman, and so far it was satisfactory. I do not, however, think the right hon. Gentleman caught up the spirit and understood the scope of the Motion of my right hon. Friend, for he did not give us any information as to what the policy of England would be the following year with regard both to the important matter of continuing our land fortifications or the defence of our arsenals. I am desirous of taking this opportunity of directing the attention of the House to the coming year, and I am sorry the right hon. Gentleman was not able to state more distinctly than he did his concurrence with the principle of making the continuance and the construction of fortifications a separate charge on the State. Are we to go on year after year spending money in such driblets that it is to take twenty years to put one port, and that the most important, into a fair position of defence? I should like to hear the Government tell us whether they think the spirit of my right hon. Friend's Motion is wise and prudent or not. I confess that I agree with him in thinking that it is not prudent to go on spending our money in driblets for these important objects, and that the sooner the great objects we have in view are accomplished the better. I cannot conclude these observations without applying the same principles to the improvement and strengthening of our navy. Before Parliament meet again the Government will have to consider and prepare the Estimates for the following year. I hope the noble Lord the Secretary to the Admiralty will give his attention to our naval establishments; and I earnestly hope that on this subject Government will not be content with resting where we are. The hon. Member for Rochdale (Mr. Cobden) is quite mistaken, in my opinion, if he thinks that the Navy of England is now in that state which it ought to be. When I brought forward the Navy Estimates for the present year, on the part of the late Government, I distinctly stated that though the Vote I then proposed was a large one, it was not, in my opinion, sufficient, and that the same scale of expenditure ought to be extended over another year. The opinion of the late Government was, that to place the Navy of England in that state in which it ought to be would require a sum of not less than from £1,500,000 to £2,000,000 more. The proposal I made was to spend an additional sum of £1,300,000, and in addition to that there was a Supplemental Estimate, which was afterwards moved by the noble Lord opposite, of about £400,000 for the construction of sloops and smaller vessels of war, to be built in private yards. So that the whole extra expenditure on the navy for the present year is between £1,700,000 and £1,800,000, and I believe it will be necessary, in order to place this country in the position in which it ought to be, that the Government should next year be prepared to spend an extra million more. I hope, both with regard to the fortification of our arsenals and the strengthening of our Navy, that the Government will not forget the necessity of carrying them into effect as rapidly as possible.

LORD CLARENCE PAGET said, he would not have risen had he not thought it necessary to correct one or two small errors in the able statement of the hon. Member for Rochdale. The hon. Gentleman had rather run away with the idea that we were stronger in ships and the French weaker than was generally supposed. He had better show to the House what the French actually had in vessels. The French had got in commission 20 screw line-of-battle ships; but they had got besides what they called reserve ships. These reserve ships, 12 in number, though not in commission, might be put to sea in a very few days' time. The latest information showed that notwithstanding the large force at sea there were 3,000 sailors in the barracks at Brest, and that the ships to which these sailors belonged were ready in the port of Brest, so that he should be deceiving the House if he were to lead them to believe that these reserve ships were not actually ready for service if they were wanted. The actual state of the French Navy, then, should war unfortunately arise, was, that they had 20 line-of-battle ships in actual commission, and 12 in reserve, making in all 32 line-of-battle ships, which, to all intents and purposes, might be said to be in commission. Compare this state of things with that which existed in this country, and it would be found that instead of our having one-third more ships than France—the proportion which the hon. Member himself allowed—we had only 26 sail of the line in commission. In addition to these we had nine blockships, which though not strictly speaking line-of-battle ships, could yet be made of great service. Putting these two together it would be found that in regard to large ships France and this country stood nearly equal. With respect to frigates, he would not deceive the House—the French were stronger than we were. He did not mean to create any alarm, but it was only fair that the House should know the truth. Besides France there was another nation that had made much progress in naval force, and that was Russia. We had very late accounts from Russia, from which it appeared that that Power had now eight screw ships of the line, six screw frigates, nine paddle frigates, four corvettes, seventy-five gunboats, and eighteen small steamers. That of itself was a very respectable force. Under these circumstances he thought it would be wise in us, without adopting the proposal of the right hon. Baronet, to add a million or two to the Estimates each year, to steer a middle course between that recommendation and the course advised by the hon. Member for Rochdale, and not to diminish our efforts for the strengthening of our own navy.

Mr. BENTINCK said, he was quite willing to admit the ability of the speech of the hon. Member for Rochdale, but he must express his surprise and astonishment that so much ability and ingenuity should be wasted on positions so untenable. In alluding to the comparison made between the Navies of France and England the noble Lord opposite had omitted to correct one error which was too commonly entertained. It was thought in many quarters that if we could only show on paper a numerical superiority of ships we had done all that was necessary. Now, the real truth was that the comparison ought to be made, not between the ships, but the facilities of manning them; and unless a system could be established by which our ships could be rapidly and efficiently manned all our other preparations would be only so much money wasted. He should be glad to hear some clear and precise information from Her Majesty's Government on this all-important question. He had listened with the greatest pleasure to the able speech of the right hon. Member for Stroud (Mr. Horsman), and quite concurred in the view he took of our position in relation to other countries; and he hoped the House would support his Motion. He hoped they should hear a declaration from Her Majesty's Government that they were determined, whatever other countries might do, to place this country in such a state of defence that an invasion of our shores would cease to be matter of speculation. When they reflected what effects the occupation of the smallest portion of the soil of England would have, it seemed madness not at once to take those steps which were necessary for the honour and safety of the country.

Lord Clarence Paget

Mr. NEWDEGATE said, that no one could fail to respect the advocate of peace. He feared, however, that the effect of the speech which had been delivered that night by the hon. Member for Rochdale, and of the course he indicated, if pursued, might be to excite in the country a discontent with taxation which would impede the efforts of that House to provide properly for the defence of the country. The hon. Member for Rochdale was a man of a fixed idea. He could not believe that any feelings or passions unconnected with commerce, permanently or even frequently, actuated mankind and nations; he seemed to forget that England had for her neighbour a most chivalrous nation, but a nation whose passion was military glory. The exaggeration of this feeling on the part of our neighbours across the Channel was a misfortune to this country, for which the hon. Member made no allowance. He made no allowance for the fact that any explanations which the Sovereign of France might give to-day might, in a year, be annulled by the popular voice. Of what practical use was it to refer to declarations made by M. Thiers and M. Lamartine, they were now both politically dead, no one could say how soon the present Emperor might be so too. The chief object of this Motion was to induce the Chancellor of the Exchequer to separate the expenditure which was required for the defence of our arsenals from the ordinary expenditure of the year, and to prevent the people being misled into believing that our military expenditure was being permanently increased, because we were prepared to devote a considerable sum to the protection of those arsenals which were now worse than totally defenceless. The opinion of the most competent military authorities was, that the fortifications of Portsmouth were worse than useless, and no one could look at them without seeing that they would, if tested by an attack, prove merely a trap for the defenders of the place. The mode of raising the sum proposed to be levied under the income tax was not likely to be popular, and it was evident that if our arsenals were to be defended it would be prudent to separate the extraordinary expenditure requisite for the rehabilitation of these defences from the ordinary military expenditure.

Lord HARRY VANE said, he hoped that the right hon. Gentleman would not press his Motion to a division, since he must feel perfectly satisfied with the approbation with which the principles contained in it had been received by the House. Much must be left in matters of this sort to the Executive Government, for it would be impossible for the House to lay down exactly how much should be spent in any one year; but still it would be of great advantage to have an expression of opinion from the House that if the Government thought fit to take certain steps to put the national defences into a state of completion, it would meet with their sanction. The debate had been conducted entirely on the view that our defences were not in that state in which they ought to be in time of peace. No distrust of any foreign power had been expressed, and he hoped that no ill feelings would be raised in any quarter by what had been said.

Viscount PALMERSTON: Sir, I imagine that my right hon. Friend must see from the course of the debate that he has accomplished the objects which he had in view in making this Motion, which I take to have been to impress upon the House by his own remarks the great necessity of speed in the completion of those fortifications which are essential to the safety and defence of our naval establishments, and to show that the measures for the permanent defence of the country are measures which indicate no desire on the part of the country for war, and which can give umbrage to no foreign Power, since they indicate no suspicion or jealousy of any foreign Power, but are founded on the common-sense principle that a nation desirous of peace must be able, and must show to all the word that it is able, to defend itself against all attacks. The unanimity displayed on every side must be highly satisfactory to my right hon. Friend, and I should hope that, considering the nature of his Motion, and considering the particular wording of it, he will be satisfied with the result he has obtained, and will not press it to a division which would imply, perhaps, a division of opinion, where really none exists. His Motion goes to express the opinion of the House that some fund should be provided for the completion of our fortifications, and that it should be independent of any Vote of Parliament. It would scarcely be expedient, however, for the House to express any abstract opinion of that sort without pointing out at the same time how that fund was to be provided. It would be more fitting and the more usual course to wait until an occasion arose, when some specific proposal was submitted to the House by the Government, and, whatever arrangement might be adopted, I cannot think that the House would be of opinion that the expenditure should be withdrawn altogether from the annual and periodical supervision of Parliament. In the course of the debate two great branches of our defences have been adverted to. That on which my right hon. Friend has more pointedly dwelt was the completion of those works necessary for the defence of our naval establishments. There cannot be two opinions on that point. It is quite obvious that our maritime power depends upon those great dockyards, the cradles of our navy, remaining safe, and there are certain fortifications required to strengthen them. The gallant Member for Southwark seemed to think that it was wholly unnecessary to defend either Portsmouth or Plymouth on the land side—that it would be quite sufficient to defend them from an irruption of ships from the sea. On the old principle that "There's nothing like leather," my hon. and gallant Friend thinks that everything turns upon naval attack and defence, but those who have considered the matter without any professional bias deem it necessary that you should provide for their defence against a force—a comparatively small force it might be—which, being landed in the neighbourhood, by shelling the dockyards, or by taking them by a rapid assault, might deprive us of the elements of our naval supremacy. It is quite clear that it is of the first importance to complete those fortifications as soon as possible. My right hon. Friend the Secretary of State for War told the House the other night that very soon after he came into office it was resolved that a Commission of competent persons should be appointed to decide which were the works best calculated to secure our naval establishments. That Commission will proceed to its examination, and I have no doubt it will not be long before it reports, and when we know what works are necessary, what are best calculated for the defence of those establishments, what the expense necessary to complete them will be, and the period of time within which they may be completed, supposing the funds to be provided, the Government will then be in a position to submit a proposal to the House. I trust, therefore, that the House will not be disposed to interfere at present with the discretion of the Government. I entirely differ from the gallant Member for Southwark that our safety depends entirely on our naval defences. I estimate as highly as any man the great importance of our naval defences. It is manifest from our insular position, from our extensive colonial possessions, from the vast amount of our commercial property which every day in the year is floating on every sea, we must have a large naval force, and without it the interests of the country would be materially injured. But I entirely protest against the doctrine that, if by any chance we were to suffer a naval reverse in the Channel—if our Channel fleet were to be diverted to a different part of the world, and the enemy were by a stratagem to get possession of the Channel for a short time, that England would be lost. I admit it as necessary to provide the best and most complete naval defence the science and resources of the country can supply, but I feel certain that if a landing of hostile forces were by any accident effected there are on land ample means of repelling an invasion and making the invaders rue the day when they set foot on our shores. The works we propose are not intended, as some hon. Gentlemen imagine, to prevent a landing upon our coasts. Indeed, no man would dream of fortifying our coasts to such an extent as to preclude the possibility of the landing of a hostile force. We know very well from what we have accomplished ourselves, at Alexandria and in other places, that a determined force will effect a landing in spite of any batteries that may be prepared to oppose it. The works we propose, and which my right hon. Friend contemplates, are simply works to defend the dockyards and particular positions on the coast. We rely for the defence of our coast upon the military force we may have at our command—the regiments of the Line, the regiments of the militia, and the population of the country. Although I think the rifle corps fever has, perhaps, in some parts of the country been a sort of epidemic that will not be likely at the present moment to lead to any practical result, yet, when we look to what happened during the great war which commenced in 1803,—when we remember the hundreds and thousands of men who arrayed themselves in arms for the defence of the kingdom at a time when the population was much less than it is at present,—we must be satisfied that if there was really any imminent peril of invasion hundreds of thousands of men would be found enrolling themselves in defence of their country, and that any enemy's force that might effect a landing would find itself inferior to those whom they attacked, and would sustain a signal and disastrous defeat. However essential it may be that our naval defences should be adequately maintained, I do hope that neither this House nor the country will be led away by the idea which my hon. and gallant Friend desired to impress upon us, that our safety depends entirely and solely upon our naval resources, and that when our naval defences shall be forced or eluded we have nothing to do but, as my hon. and gallant Friend says, go like lambs to the butcher. I hope my right hon. Friend will be satisfied with the very useful result which he has obtained. He has elicited the general determination of this House to support the Government of the day, whoever they may be, in all those measures which may be neccessary for the defence of the country. When the proper time arrives—when my right hon. Friend the Secretary for War shall have received the report of the Commission, and knows precisely what are the works necessary for the protection of our dockyards, what the cost of those works will be, and the period within which they can probably be completed—it will be the duty of the Government to consider what propositions they may think it their duty to submit to Parliament, and we shall then call upon the right hon. Gentleman (Mr. Horsman)—I am quite sure not without success—to assist us in carrying into effect whatever measures may be deemed most efficacious for effecting that object.

Question put—The House *divided*:—Ayes, 167; Noes, 70; Majority, 97.

Original Question again proposed.

VISCOUNT PALMERSTON: Sir, of course I do not propose at this hour (twenty minutes past twelve) to ask the House to go into Committee of Supply. I hope therefore that the House, considering the long time the Speaker has been kept in the chair, will agree not to proceed with any Orders of the day or notices of Motions which may lead to discussion. I should suggest that we should simply go through the Orders with the view of fixing them for some other day. I should propose that the House should go into Committee of Supply on Monday morning.

Motion by leave *withdrawn*.

LOCOMOTIVE BILL.—COMMITTEE.

Order for Committee read.

House in Committee.

THE CHANCELLOR OF THE EXCHEQUER said, he doubted whether the Bill in its present shape ought to pass. At present there was nothing to prevent locomotives passing on the public roads. The present Bill brought the matter under the cognizance of the Legislature, so that, in case any accident should arise, the Government ought not to be blamed.

House resumed. [No Report.]

CHURCH RATES ABOLITION BILL.

WITHDRAWAL OF BILL.

MR. J. EWART, in the absence of the hon. Baronet the Member for Tavistock (Sir John Trelawny), said that his hon. Friend regretted very much, that owing to the advanced period of the Session, it was impossible that this Bill could be proceeded with, and the Motion for going into Committee was then withdrawn.

House adjourned at a quarter after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, August 1, 1859.

MINUTES.] PUBLIC BILLS.—1ª Dwellings for Labouring Classes (Ireland); Militia Ballots Suspension; Constabulary Force (Ireland); Local Government Supplemental; County Cess (Ireland) Acts Continuance; Manufactures (Ireland) Acts Continuance); Colonial Legislatures Power of Repeal; Barbuda Government; Queen's Remembrancer, &c.; Military Savings Banks; Marriages (Lisbon).

2ª Railway Companies Arbitration; Boundaries (Ireland).

3ª Admiralty Court; Jury Trial (Scotland) Act Amendment; Diplomatic Pensions; Criminal Justice, Middlesex (Assistant Judge).

Royal Assent.—Consolidated Fund (£7,000,000); Public Health.

BUSINESS OF THE SESSION.

THE EARL OF DERBY (in *presenting* some petitions against the abolition of church rates without a substitute), observed that he was glad to find that the petition was unnecessary, inasmuch as the objectionable Bill had been withdrawn. He wished to ask a question of the noble Earl opposite (Earl Granville) in reference to the course of public business. In consequence of the peculiar character of the Session his noble Friend the Chairman of Committees had abstained from proposing any Resolution as to a day after which Bills should not be received from the other House, except those of an urgent character. The month of August had now arrived, and it was hoped, if not expected, by all that Parliament would not have to sit more than a fortnight longer. He, therefore, wished to know whether the noble Earl was prepared to name any day after which second readings should not be taken, except in cases of public necessity or importance. He believed there were only two Bills with respect to which any difference of opinion was likely to arise. One of these was the Endowed Schools Bill, which would require to be very carefully considered. There was a general desire to rectify the inconveniences which had recently occurred; but the Bill as introduced into the other House went so far beyond what was needed that it was referred to a Select Committe of the other House, by whom the measure was so much altered that, except the preamble—and he was not sure even of that—scarcely a word remained of the original Bill. The matter was one of considerable importance, but was not one that pressed for a decision for three, four, or five months, and he trusted that if there should be a difference of opinion on the Bill when it came up, the Government would not take advantage of the present state of the House to press it during the present Session. The other Bill was the Roman Catholic Charities Bill, which was also a subject of considerable importance. The Roman Catholic charities were exempted from the operations of the general Act by an annual Bill. Last year he (the Earl of Derby) consented to renew this Bill for one year, on condition that at the commencement of the present Session the Roman Catholic body would be prepared to submit to the Government the regulations they wished to see adopted. If no Bill were passed in the present Session the Roman Catholic charities would come under the general Act. It was very desirable that some permanent measure should be passed; but ample opportunity ought to be given for its consideration, and it would be better to introduce a continuance Bill for another year than pass an ill-digested measure. Perhaps the noble Earl would be prepared to name an early day after which their Lordships would not be called upon to pass a measure upon which any great difference of opinion might exist.

EARL GRANVILLE said, that the noble Lord the Chairman of Committees had consulted him some time ago whether it would be advisable that he should renew his usual Resolution fixing a date after which their Lordships should not give a second reading to Bills from the other House. He (Earl Granville) replied that in his opinion the circumstances of the present Session were so anomalous that it would not be expedient to renew the noble Lord's Resolution. The noble Earl had correctly stated that no Bill likely to give rise to opposition would come before their Lordships, except those to which the noble Earl had referred. The Endowed Schools Bill in its original shape had been very much objected to, and had been referred to a Select Committee. This Committee — which comprised among its members the Solicitor General of the late Government—had taken considerable pains with the Bill, and had come to a unanimous agreement upon the subject. He trusted that the arrangement thus made would meet with the approbation both of Dissenters and Churchmen, and it would be a matter for regret if the amended Bill did not pass both Houses of Parliament with the least possible delay. If, however, the Bill, when it arrived, should meet with any large amount of opposition the Government would not press the measure during the present Session. With regard to the Roman Catholic charities, it was not desirable that they should be legislated for by a Bill renewed from year to year, and it was very important that a permanent Act should be passed. The Government had introduced a measure for this purpose, which would pass an important stage in the other House to-morrow, and it would depend upon the result of that discussion what course the Government would take in their Lordships' House with regard to it. If there were a general feeling of disagreement with regard to that Bill, he should say, as an individual, that it would be desirable to adopt the suggestion of the noble Earl, and have a continuance Bill for another year, leaving the subject to be considered next Session. He would consider the suggestions of the noble Earl, and give him more information to-morrow.

PARLIAMENTARY FRANCHISE.—PROPERTY QUALIFICATION.

QUESTION.

LORD TEYNHAM rose to ask Her Majesty's Government whether, in preparing a Measure of Parliamentary Reform, they will take into Consideration the Expediency of not proposing any Property or pecuniary Qualification to entitle a Person to be registered as a Voter. The noble Lord said that there were involved in this question the political interests of the working classes of the United Kingdom, and not their political interests alone, but with them and through them their mental and moral advancement, and the welfare and improvement not only of the whole nation, but the human race. If he were asked why he introduced the subject to their Lordships at the present moment, when a measure of Parliamentary Reform would be so shortly presented for the consideration of the Legislature, he would reply that the question involved so many collateral considerations that it was impossible to consider it adequately if brought before their Lordships during a series of discussions on the general subject of reform. No doubt there were great difficulties in the way of carrying out the principle which he proposed, but at the same time they were far from being insurmountable. He asked himself the question whether it was just that the privilege of voting should be granted to the higher and middle classes, and withheld from the working and industrious classes? and he hoped to be able to persuade their Lordships that such a course was not just. He then asked himself whether it was expedient that they should be excluded? But if such a course was not just, he was quite sure that it could not be expedient. Every man had a stake in the country; every man was called upon to contribute towards the general taxation; it had been acknowledged by a high authority "in another place" that indirect taxation pressed most heavily on the lower classes, and on that ground, as being most affected by the legislation of Parliament, the lower classes had even a more powerful right to representation in the House of Commons than those which were superior to them. The right of voting was aspired to by the humbler portion of the population, and during the recent debates on the Reform Bill both the political parties had shown their willingness to extend the franchise to a certain extent among the working classes. The principle being therefore admitted, he asked on what principle could a property or pecuniary qualification for voting be said to rest? Every Englishman, no matter how humble, was passively in the enjoyment of political rights; what he demanded was that they should be brought actively within the pale of the constitution. Every man had a right to say—"I am an Englishman of full age; I have learned a trade by which I support myself and my family; I am honest and sober, and I commit injury to no one. I have a right, therefore, to be entrusted with my political privileges." In asking, therefore, for the working classes the right to vote, independently of any property or pecuniary qualification, he was only asking that which would be beneficial to their Lordships and to the nation at large. There was no principle in a pecuniary qualification. It might be made use of to exclude the working classes, or to keep up what was deemed the right proportion between agricultural and town voters, but it was no test of the qualification of a voter, and was the exponent of no principle. The noble Lord was pursuing his argument, when

Viscount DUNGANNON rose to order. It did not appear that there was any direct Question before the House. The noble Lord had given notice of his intention to ask the Government a Question, but the noble Lord appeared to be going into a discussion upon the Reform Bill, and about to occupy a great deal of their Lordships' time when there appeared to be no Question before the House.

Lord TEYNHAM was just about to conclude the part of his argument on which he was then speaking when the noble Lord rose. There being no Reform Bill under the consideration of the House was the very reason he asked the Question, and deemed the putting of it opportune and proper. However, he would yield to what appeared to be the wish of the House, and would conclude by merely putting his Question.

Earl GRANVILLE said, that it was very undesirable that he should anticipate the statement which the Government would make as early as convenient next Session, and he therefore hoped that his noble Friend would not think him discourteous if he declined to give any answer to his Question.

DIVORCE COURT BILL.

AMENDMENTS CONSIDERED.

Report of Amendments *received* (according to Order).

The LORD CHANCELLOR called the attention of the House to the two clauses which had been introduced into the Bill in Committee, namely, that by which the Judges should regulate by *rota*, or whatever other mode they deemed most convenient, the attendance of the requisite number of Judges to make a full Court. The second clause was, that the Bill should comprehend the whole United Kingdom, except Scotland. The latter by which persons domiciled in Ireland might sue in this Court for a dissolution of marriage had not been proposed by him, but he saw no objection to it. Some had felt alarm lest this should deprive the Irish of local remedies which they already possessed, and should compel them to come to England to prosecute their suits. In answer to that it would be sufficient to say that the Bill left the parties in possession of any remedies they might already have; and made their suing in the London Court a purely voluntary act. The other objection was that the clause would enable Hindoos, Parsees, Mahomedans and the like, to come here and claim divorces on the principles of their own laws. That was likewise a pure mistake. The Court would have no powers except those expressly conferred upon it by the statute. Nevertheless, as the Amendment was objected to it was not his intention to press it.

Lord KINGSDOWN said, he was very glad his noble and learned Friend had consented to withdraw this Amendment, for otherwise the greatest confusion and injustice would be occasioned. The Colonies, which had Legislatures of their own, would have great reason to complain, and as for India, there was nothing to prevent Parsees and Hindoos from being brought under the operation of the Bill had the clause remained. In fact it would have interfered most seriously with social rights, especially in those sects and creeds where the marriage tie was held to be indissoluble.

Lord REDESDALE said, he had been given to understand that the Act already applied to the Colonies, and that it was only needed therefore to extend it to Ireland.

The LORD CHANCELLOR said, that when the parties were domiciled in England they might apply to the Court, even although both the marriage and the adultery had taken place abroad. When the parties, however, were not domiciled in England, they were beyond the jurisdiction of the Court.

Amendment *agreed to.*

Lord REDESDALE moved an Amendment in Clause 5, which enables the Court to sit with closed doors where it should appear to the Court desirable to do so in regard of public decency. He objected altogether to the total closing of the Court, as being repugnant to the general principle of the administration of justice in this country; but as their Lordships, on a division in Committee, had affirmed the clause, he thought it would be advisable to narrow its operation as much as possible. It was with this view he proposed this modification, which would limit the power of the Court to exclude the public where decency appeared to require it in suits for nullity of marriage only. The evidence in many of these suits was throughout of a grossly indelicate character, and as these had been cases, and he believed the only cases in which the Ecclesiastical Courts had sat with closed doors, the exclusion of the public from similar proceedings in the new Court might perhaps be permitted, without very seriously interfering with the general principles on which justice was administered in this country.

THE LORD CHANCELLOR observed, that the subject had already been most amply discussed by their Lordships, and they had determined, on a division, that the Judge should, on his responsibility, hear a case in private when public decency required it. He trusted, therefore, that the noble Lord would not press his Amendment.

LORD STANLEY OF ALDERLEY said, he objected to the Amendment as much as he did to the clause. It was a most dangerous power to give by Act of Parliament. If it was right that such a power should exist in one Court, it ought to exist in all. There were as great exhibitions of indecency at the Assize Courts as in this Court.

THE DUKE OF RICHMOND reminded the House that in criminal courts there was no secrecy, and in cases of rape the girl or woman who complained had to give her evidence in public, and he thought properly, because it was in such cases that publicity and searching investigation were most required. He should support the Amendment, because it would tend to diminish the evil which the clause would create.

LORD CRANWORTH thought it would be unwise to tie up the hands of the Judge in cases where his discretion could most usefully be employed. In cases of cruelty the acts complained of were frequently of a gross and revolting character, and it was now required that an injured wife seeking relief should only obtain it at the price of proclaiming her misfortunes in the hearing of a crowded court.

VISCOUNT DUNGANNON thought that the closing of the Court should be left in the discretion of the Judges. He considered publicity in this particular Court exceedingly injurious to public morality.

THE EARL OF DONOUGHMORE wished that the clause were struck out altogether; but the attempt made on a previous occasion to strike it out having been unsuccessful he should vote for the modification proposed by the noble Lord.

THE EARL OF DERBY said, he was opposed to any infringement of the practice of entire publicity in the administration of justice, and he should have voted, had he been present, against the clause itself. The House had unfortunately, he thought, affirmed the clause by a large majority, and now, although he was ready to admit there was something inconsistent in refusing in one case a concession which was made in another, he thought the clause ought to be restricted as much as possible to what was absolutely necessary. He would therefore support the Amendment if his noble Friend divided the House, and it would give him much more pleasure to support him if he were hereafter to move the rejection of the whole clause.

THE LORD CHANCELLOR said, that it was clear that no man ought to be deprived of life or liberty without an open trial, and he should be against anything that would have the slightest tendency to deprive him of that right. The House, however, were here called on to legislate with regard to an exceptional case in a civil suit, and he thought they might leave that discretion proposed in the clause to the Court without the smallest encroachment on the general principle.

LORD REDESDALE said, that the adoption of the Amendment he had moved, would not remove the objection he entertained to the principle involved in the clause, and he had only proposed it as preferable to the unlimited power of exclusion at the discretion of the Judge granted by the Bill. He would, therefore, as there were several Lords who were not present on the former occasion, who appeared desirous of recording their votes against the principle of the clause, ask leave of the House to withdraw his Amendment and move the rejection of the clause, in order that their Lordships might not be subjected to the inconvenience of dividing twice on the subject.

After a few words from the Duke of ARGYLL and Lord CRANWORTH,

Amendment, by leave of the House, *withdrawn.*

LORD REDESDALE then moved the omission of the clause.

On Question, That the said clause stand part of the Bill?

The House *divided*:—Contents 24; Not-Contents 11: Majority 13.

CONTENTS.

Campbell, L. (*L. Chancellor*)

Cleveland, D.
Newcastle, D.

Beauchamp, E.
Granville, E.
Ripon, E.
Rosslyn, E.

Dungannon, V.
Sydney, V.

Audley, L.
Aveland, L.

Brodrick, L. (*V. Midleton*).
Brougham and Vaux, L.
Calthorpe, L.
Cranworth, L.
De Mauley, L.
De Tabley, L.
Elgin, L. (*E. Elgin and Kincardine*).
Foley, L. [*Teller*].
Ponsonby, L. (*E. Bessborough*). [*Teller*].
Sundridge, L. (*D. Argyll*).
Teynham, L.
Wodehouse, L.
Wynford, L.

NOT-CONTENTS.

Richmond, D.

Exeter, M.
Salisbury, M.

Derby, E.
Lonsdale, E.

Hutchinson, V. (*E. Donoughmore*) [*Teller*].

Churston, L.
Colville of Culross, L.
Redesdale, L. [*Teller*].
Stanley of Alderley, L.
Wycombe, L. (*E. Shelburne*).

Amendment *negatived.*
Clause *agreed to.*
Bill to be read 3^a *To-morrow.*

MUNICIPAL CORPORATIONS BILL.

Order of the day for the Second Reading read.

No noble Lord rising to move that the Bill be now read the second time,

THE EARL OF RIPON said, that his name appeared upon the Bill, but he was not chargeable with its conduct or responsible for its provisions.

THE EARL OF DERBY said, that this Bill was not one that ought to pass without consideration. Its object was to repeal the existing provision under which the officers of a municipal corporation made a declaration that they would do nothing to injure the Established Church; and it also repealed the prohibition which had been many years in existence, and which forbad mayors and members of corporations from taking the emblems of the municipal authority to Dissenting places of worship. There might not be anything very material in these provisions, but this was one of a series of Bills the object of which appeared to be to reduce the Church of England to an entire and absolute level with all the Dissenting sects throughout the country. The clause repealing the prohibition against carrying the corporate emblems to Dissenting places of worship was intended to do away with all distinction between churches and other places of religious worship. He should be sorry to interpose to prevent the fullest freedom of religious worship, but he was not disposed to give a power to the municipal corporations which they did not now possess, of attending Dissenting places of worship with all the emblems of corporate authority. He had to ask the noble Earl (the Earl of Ripon) whether he had withdrawn the Bill altogether, or had merely postponed it, reserving to himself the right of bringing it forward on a future occasion?

THE EARL OF RIPON said, the noble Earl, in addressing that question to him, appeared to be under a misapprehension; for he (the Earl of Ripon) had nothing whatever to do with the Bill, and consequently neither moved nor withdrew the Bill.

Order for Second Reading *discharged.*

TRADE WITH CHINA—ADMISSION OF SALT.—QUESTION.

LORD STANLEY OF ALDERLEY rose to call the attention of Her Majesty's Government to the Question of the Admission of British Salt into China, and to ask what Steps have been taken for bringing the subject before the Government at Pekin. He presented a petition in the course of last Session upon this subject, signed by a large number of manufacturers of salt in this country; and the question involved was of the greatest importance not to the salt manufacturers only but to the commercial world at large. The balance of imports and exports in our trade with China was very much in favour of that country, and were it not that the trade in opium to some extent readjusted the balance, the consequences to this country, arising from the enormous drain of silver which would result, might be most disastrous to our financial and monetary system. It was, moreover, not at all improbable that China would itself grow the opium which was now imported from India, and thus create a great deficiency in the Indian revenue. If, therefore, he could point out that, by giving facilities to English manufacturers of salt to import it into China, this great deficiency in our imports could be remedied, he should be rendering a very great service to this country. China contained a population of 300,000,000 of human beings, to whom salt was a first necessary of life. At present the Chinese Government had a monopoly in the manufacture of salt, from which they derived a large revenue, and it was therefore clear that in asking the Chinese Government to afford facilities for the importation of salt into that country, it was but reasonable that we should secure to them a revenue equal to that which would be jeopardised by the change. The facilities possessed by this country for the manufacture of salt over the Chinese Government were so great that he believed that English manufacturers could afford to allow to the Chinese Government the full revenue which it now derived from the monopoly, and at the same time sell it at a cheaper rate than that at which it was at present sold in China. The Indian Government at one time stood in very much the same position as the Chinese Government with regard to salt, having a monopoly of the article nearly similar. It was comparatively of late years that the monopoly of the Indian Government had been relaxed. When this was proposed they were told that not only would the Natives refuse to consume British salt, but that English merchants would be unable to introduce it into the country. None of these "lions in the way," however, of the East India Company had been found in practice to exercise any injurious effect. On the contrary, the salt so imported had proved a source of considerable profit to the English manufacturer, and had proved besides a valuable addition to the sources of Native revenue, the duty on salt having been more cheaply and easily collected than it had ever been before. It would be obvious to their Lordships that customs duties levied on an article going into a country were more easily collected and more advantageous in every respect than those which were collected by a system of excise, and mixed up with fiscal operations in the country. To such an extent had the consumption of salt increased in India since the permission to import had been granted, that upwards of 100,000 tons were annually imported into Calcutta, and from thence largely distributed throughout the country; and it was even stated by merchants resident in India that this amount might be expected still further to improve if additional facilities in the way of bonding were afforded. But he thought it would be difficult to obtain the introduction of salt into China without securing in some way to the Chinese Government an amount of revenue equal to that which they derived from the sale of this commodity, which proved a very important portion of their revenue. The noble Earl (the Earl of Elgin) who had recently concluded a diplomatic arrangement with the Chinese Government, and who, through the energy and ability which he had exhibited, had successfully carried into effect a treaty with that country, in which he had so well preserved the interests of his own, had, among other things, his attention called to certain commercial transactions. No specific directions were, he believed, sent out from this country; but that noble Earl, animated by all the anxious interest which he had ever shown for the commercial interests of England, must have perceived that it would be desirable to effect some arrangement by which the introduction of salt into China could be facilitated. He had no doubt the House would be glad to hear what steps had actually been taken with that object, though he believed nothing conclusive had been accomplished, and the matter still remained very much upon the same footing as before the noble Earl went there. On bringing this subject before the late Government, he received assurances that instructions would be given to Mr. Bruce to bring the matter before the Chinese Government, and to endeavour to obtain from them some relaxation of the present monopoly—which course he (Lord Stanley) believed could not fail to be attended with mutually advantageous results. He saw by the papers that a treaty had been recently concluded between Russia and China, and in one article he perceived that permission was given to the Russians to have an Ambassador resident at Pekin, and also that facilities were granted for communicating with the Court. It was not clear whether this was to be a permanently resident Russian agent at Pekin, or whether it was to be a mere extension of the consulate which already existed there; but he believed that in the treaties which had been concluded with that important and most interesting nation, the Chinese, England had been able to obtain the same privileges and advantages that were granted to any other country. He, therefore, hoped, that in adopting whatever course might seem good with regard to this question, Her Majesty's Ministers would, in the event of the Russian or any other Government sending a Minister or Ambassador to Pekin, deem it advisable to avail themselves to a similar extent of the powers conferred by the treaty. He also trusted that the British Government would insist on the right of direct communication with the Central Government at Pekin, on every occasion when the interests of the country might require it. It was only by this power of direct communication that they would ever be able to secure the full advantages of the obligations which the Chinese Government had entered into, and to check the efforts of corrupt officials at the outports to render nugatory the provisions of the treaty. It must, he thought, be obvious how important it was, both to this country and to China, that such an article as salt should be freely imported, and he thought it would be very easy to make such regulations as would secure to China a revenue not only equalling, but exceeding, that which she at present enjoyed from this source. The effect of the abolition of the salt monopoly would be not only to establish a snug trade for salt at Shanghai, but to get rid of numerous evils which had existed of late years, which had led to very great difficulties, and had been attended with very serious consequences. The noble Lord concluded by inquiring, what steps have been taken for bringing the question of the admission of British salt into China before the Government at Pekin, and also what instructions had been forwarded to Mr. Bruce with that object; and by expressing a hope that the noble Earl (the Earl of Elgin) would state to the House the position in which this country stood in relation to the right of maintaining an Ambassador at Pekin.

THE EARL OF ELGIN said, as the noble Lord had addressed the latter part of his inquiry more particularly to him, he would answer the question to the best of his ability, leaving to the noble Lord the Under Secretary of State for Foreign Affairs to explain more particularly the directions which had been given to Mr. Bruce. He must, however, observe that in referring to transactions in which he had been personally engaged as a diplomatic agent on the coast of China, he felt some difficulty in giving to their Lordships so complete an explanation as he should desire to do. The House was aware that when departing on his mission he had been furnished with instructions, and that during his sojourn he had been in the habit of communicating both with Her Majesty's Ministers, with private individuals, and with commercial bodies on all subjects connected with his mission; but for reasons which he believed to be entirely sufficient, because the treaty had not yet been ratified, neither the instructions under which he had acted, nor the Treaty of Tien-Tsin, with the tariff arrangements which had been entered into in consequence of that measure, nor yet the Correspondence which had passed between himself and Her Majesty's Government and persons interested in the trade of China, had yet been made public. He therefore felt under considerable difficulty in stating both what he had done and the advice which he had felt it his duty to tender to Her Majesty's Government. He could only trust that their Lordships would believe that, however incomplete his explanation might be, he had not wilfully or through carelessness neglected to urge any commercial interest of this country. Their Lordships would remember that he proceeded to China at a period of very considerable difficulty in the East—that it had been particularly enjoined on him that he should endeavour to bring to a close that state of hostilities the continuance of which was so inconvenient for the interests of this country—that he had also to consider the convenience and interests of colleagues who were the representatives of other nations — and there was likewise a consideration which weighed very greatly with him—he referred to the interests of the Chinese Government itself. To his mind, there could be nothing more prejudicial to the interests of this country than that the resources of the Chinese Government should become so crippled as to prevent them from maintaining the position of that country; and during his period of sojourn there nothing was more observable than the rise and fall in the value of British imports, which corresponded exactly with the rise and fall of the fortunes of the Chinese Government. Their value rose and fell with the influence of the Imperial Government just as certainly as the mercury in the thermometer is affected by the temperature. Under these circumstances he confessed that he had perhaps been prevented from pressing on the Chinese Government some of those commercial changes which he should have advocated had the interests of the Imperial Government been of no importance in his eyes. As regarded the particular question of the introduction of salt, he begged to express his concurrence in every syllable that had fallen from the noble Lord; and he could only say that it was with very great regret that he had found it utterly impossible to induce the Chinese Commissioner with whom he negotiated the Treaty of Tien-Tsin to enter into this question. At the same time, he did not despair of the possibility of the result desired by the noble Lord being arrived at. He believed the only thing necessary was to persuade the Chinese Government that their revenue would not suffer from the change. He might, however, state that it was not till the 1st of January in the present year that he had seen any representations from persons interested in the manufacture of salt, or who had interested themselves in favour of its introduction into China requesting him to interfere in regard to that question; and those who knew how difficult it was to introduce changes into Oriental countries would perceive that he could not then, even on the score of time, press the subject with any hope of success. He believed that if Mr. Bruce could persuade the Government of that country of the truth of the views so fairly and clearly stated by the noble Lord, he would have achieved an undertaking that would be attended with much profit and lasting advantage to the two countries. At the same time the House must remember that such changes were not easily effected, and least of all in an Oriental country. The monopoly of salt was not only very productive but it had likewise the prestige of great antiquity. Some of the records stated that it was in existence 1,100 years before the Christian era, and in an Eastern country a tax which had been paid 3,000 years became very popular. The system under which the salt tax was raised in China very much resembled that in which the opium revenue was raised in India. The salt-producing lands were let to farmers who were obliged to deposit the results of their labour in Government stores; they were then handed over to retailers, who were obliged to buy licences for the privilege of vending it. He might state that one of the great objects which he had laboured to accomplish was to improve the custom-house system of China; and he believed that if, as was now proposed, the monopoly in this article were done away with, and some effectual security given to the Chinese Government for an equal amount of revenue, it would confer much benefit on China. The only other subject to which allusion has been made was with regard to the ratification of a treaty between Russia and China. Of course the noble Lord would understand that on this subject he spoke with great reserve; at the same time he had no hesitation in saying that of the four treaties which had been concluded at Tien-Tsin the only one giving the right to establish a permanent embassy at Pekin was the English treaty; and though other nations might share in the advantages of the privileges thus acquired under "the most favoured nation" clause, there was no doubt that the right had originally been given to England alone. It would be found, on consulting the English treaty, that power had been given at all times to consult and communicate with the high officials of the Chinese Emperor. It was fair that he should also state that he had thought it his duty to represent to Her Majesty's Government that perhaps it might be advisable not to press at the present moment, with very great stringency on the Chinese Government with regard to the right of having a permanent resident at Pekin. But that the right existed, and was capable hereafter of being exercised, there could be no doubt whatever. Of course if any nation exercised that right under the reflected privilege of the British treaty, and was permitted to retain an Embassy at Pekin, he presumed there could be no question that England would be entitled in a still higher degree to act in a similar manner.

LORD WODEHOUSE said, he had very little to add to what had been stated by the noble Earl, who was better acquainted than any of their Lordships with the affairs of China. He might state, with reference to the instructions given him on the subject of salt, that Mr. Bruce was desired in any communications he had with the Chinese Government to bring that subject as often as seemed prudent and convenient under their notice. For the reasons stated by his noble Friend (the Earl of Elgin) it was not impossible that the Chinese Government, looking at the fact that a large portion of their revenue was derived from salt, would not be very willing to add this to the important changes they had already

The Earl of Elgin

completed; but at the same time it would be the duty of the British Envoy in China to take advantage of any opening that might arise for inducing them to break through the monopoly. With regard to the Missionary College belonging to Russia in Pekin, he might state that that mission was to be maintained, but without having attached to it any political character, while any permanent residence that might be enjoyed by Russia in Pekin would rest not on direct treaty, but on the clause which gave them the same rights with the most favoured nations. Undoubtedly great care would be taken not to forego, on our part, the right of permanent residence by a British Minister at Pekin, though, of course, the Government would in such a matter be ready to defer to the opinion of his noble Friend, and would consider how often and for how long a period it should be exercised. Certainly, it would be most unwise for us to return to the old system, to let the right we possessed remain in abeyance, and to lose the advantage of direct communication with the high officials at Pekin. Some moderation must, however, be shown towards the Chinese Government, which had made very important concessions to this country, commercial and political, and which, if fully carried out, which he trusted they would be, could not fail of producing the most beneficial effects in all our communications with that empire.

ADMIRALTY COURT BILL.

THIRD READING.

Order of the Day for the Third Reading read.

On Question that the Bill be now read a Third Time,

Lord CRANWORTH explained, that on the second reading of the Bill he had stated that the Judge of the Admiralty Court had said that the opening of the Court to the ordinary legal practitioners was a matter of urgency; but he had not attributed to the learned Judge any approval of the provisions of the Bill.

Lord WYNFORD repeated what he had stated upon a former occasion, that at no time were the provisions of this Bill formally communicated to the learned Judge of the Admiralty Court, and again urged upon their Lordships the injustice of opening that Court without giving compensation to the proctors.

After a few words from the Lord Chancellor,

Bill read 3ª, and *passed.*

House adjourned at Eight o'clock,
till To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Monday, August 1, 1859.

Minutes.] Public Bills.—1° Customs (No. 2); University and College Estates Act (1848), &c. Amendment; Militia Laws Amendment; Metropolitan Police; Chief Superintendent, China; North Western Territories (British America); Speaker of the Legislative Council (Canada); Sir John Ramsden's Estate; Dickinson's Divorce (India).

2° Charitable and Provident Societies, &c.; Coinage; Stamp Duties; Reserve Volunteer Force of Seamen; Government of India Act Amendment; Turnpike Trusts Arrangements; Turnpike Acts Continuance; Customs (No. 2); Attorneys and Solicitors; Court of Probate, &c., (Acquisition of Site) (No. 2).

3° County Cess (Ireland) Acts Continuance; Manufactures (Ireland) Acts Continuance; Colonial Legislatures' Power of Repeal; Barbuda Government; Queen's Remembrancer, &c.; Military Savings Banks; Vexatious Indictments; Universities Incorporation Act Amendment.

NORWICH ELECTION.—REPORT.

House informed, that the Committee had determined,—

"That Henry William Schneider, esquire, is not duly elected a Citizen to serve in this present Parliament for the said City and County of the City of Norwich.

"That the Right honourable William Coutts Keppel, commonly called Viscount Bury, was not duly elected by the Election held upon the 30th April, 1859, a Citizen to serve in this present Parliament for the said City and County of the City of Norwich.

"That the Election held upon the 30th April, 1859, for the said City and County of the City of Norwich is a void Election.

"And the said Determinations were ordered to be entered in the Journals of the House."

SUPPLY.

On the Motion that the House go into Committee of Supply,

INDIAN REINFORCEMENTS.

QUESTION.

Sir DE LACY EVANS said, he had the following notice on the paper:—

"That under the present circumstances it is not necessary or expedient to carry into effect the recent Order for despatching 6,700 Men to India from the Depôts of Regiments serving in India."

His Motion was a pressing one, but the

Secretary of State for War had requested him to postpone it because he could not attend that day, being engaged on a Committee up stairs. The right hon. Gentleman had suggested Thursday; but he found that his noble Friend beside him (Lord Elcho) had a Motion on the paper for that evening. He was quite ready now to proceed, and therefore he should be glad to know what day could be fixed for the discussion.

Mr. LAING said, as the discussion of the question would require the presence of his right hon. Friend the Secretary of State for War he would communicate with him, and would in the course of the evening state when it would be convenient to bring the subject on.

THE CONFERENCES.—QUESTION.

Lord ELCHO said, he also had on the paper the following notice of Motion,—

> "That an humble Address be presented to Her Majesty, stating that in the opinion of this House it would be consistent neither with the honour nor the dignity of this Country, which throughout the late negotiations has preserved a strict and impartial neutrality between the contending Powers, and used its earnest endeavours to prevent the outbreak of hostilities, to take part in any Conference for the purpose of settling the details of a Peace, the preliminaries of which have been arranged between the Emperor of the French and the Emperor of Austria."

He was anxious to be able to state positively to those persons who wished to take part in the discussion on his Motion, on what day it could be brought forward. Privately, he was informed last week by a Member of the Government, that Supply was expected to be taken on Thursday.

The CHANCELLOR of the EXCHEQUER said, that he did not know what communication had taken place between the noble Lord and the Secretary of State for Foreign Affairs, and could not reply to the question in his absence. He could not say when the Committee of Supply would terminate. His hope was from the present appearance of the Votes, the Supply would end on Thursday. His noble Friend (Lord Elcho) would not be prejudiced by the circumstance, for if there should not be a Committee of Supply on Thursday, there would be a Report on some other stage which would enable him to bring his Motion forward.

PUBLIC OFFICES.—OBSERVATIONS.

Lord JOHN MANNERS said, that in consequence of an answer which was reported to have been given by the First Minister to a deputation, he wished, before they went into Committee, to call the attention of the House to the position in which the question respecting the erection of the new public offices now stood. He thought that it was not well for a Government succeeding to power to reverse without very good reasons the decision of their predecessors, and especially with respect to matters of art and the construction of public buildings. When the reproach was made that this country was behind other nations in great public improvements, the reason generally assigned was that no sooner had one Government agreed upon certain public improvements than they went out of office, and the incoming Government upset all that their predecessors had decided upon. When he acceded to the office he lately held he found that a public competition of architects had been invited by his predecessor in respect to the structure of the new Foreign Office. Nearly 200 gentlemen responded to that invitation, of whom several received prizes. Subsequently on his (Lord J. Manners') recommendation, the whole question was referred to a Select Committee, who examined a number of able and competent witnesses, and arrived at a Report which was admitted to be a very fair and accurate Report on the whole question. But neither his predecessor in office nor the Committee had decided on any one of the designs. Had they done so, he should have bowed to that decision and carried it out. Consequently the whole responsibility of selecting from the first three designs was thrown on the Executive. He, therefore, paid the best attention to the whole of the evidence; and, after coming to a decision, submitted it to his colleagues in the Government, who approved the advice he gave. Towards the end of November, therefore, the architect selected was instructed to prepare an amended design, according to the recommendation of the Select Committee. Shortly afterwards the then Secretry for India obtained a frontage for the India Office, extending from Downing Street to Charles Street, and being impressed with the advisability of having one general design for these public offices, the Secretary for India placed the erection of the building for the India Department in the hands of Mr. Scott, the architect chosen by the late Government, in conjunction with the professional architectural adviser of the

India Department. He understood now that the present Prime Minister, in answer to a deputation, stated that he had given instructions to Mr. Scott to prepare other designs in a different style of architecture from that already fixed upon. This alteration would, of course, occasion additional expense for the preparation of fresh designs, working drawings, and specifications, not only in respect to the Foreign Office, but also with respect to the India Office; for, if the style of architecture was changed in one case, it must likewise be changed in the other to ensure uniformity. He had no wish to throw any impediment in the way of the Vote which should be asl ed for by the Government, but the House ought to receive a promise that the design now being exhibited up stairs should not be interfered with during the recess. The promise of the noble Lord alone would not be sufficient, but it ought to be accompanied by that of the right hon. Baronet the Secretary for India. The noble Lord and Secretary for India should give a clear and positive assurance to the House that nothing should be done during the recess to prejudice the design up stairs, which had been prepared with so much care and expense, and which he belived, if carried out, would be one of the greatest embellishments that the metropolis could have. His great object was to guard the House against being involved in a large expenditure, and which might be totally unnecessary.

TRUSTEES' RELIEF BILL.

QUESTION.

Mr. HADFIELD said, he should be glad to know what course the Government intended to pursue with regard to the Bill for amending the law relating to real estate; and also as to the Bill for the relief of trustees. The latter measure was promised two years ago, and it would be a great improvement of the law. A full opportunity ought, however, to be given for considering it, and therefore he should like to know whether it was intended that it should be passed this Session or not.

Mr. COBBETT said, he hoped that if the question could not now be answered it would be repeated, so that a satisfactory reply might be obtained. The measure was a most important one.

Sir GEORGE LEWIS said, he believed the Bills referred to by the hon. Member for Sheffield (Mr. Hadfield) were not under the charge of any Member of the Government, and he did not know what was the intention of the right hon. Gentleman who had the charge of them. When they came before the House for discussion the Attorney General, or some other legal Member of the Government, would be present and state what course should be followed. He could not at present fix any time for taking them into consideration.

CORRUPT PROCEEDINGS AT ELECTIONS.

QUESTION.

Lord ROBERT CECIL said, he wished to know whether the Government intended to issue Commissions to inquire into the election proceedings of those constituencies among whom the Election Committees reported that extensive bribery had prevailed. With regard to the Gloucester eleciton, bribery was proved to a considerable extent before the Election Committee, and through that Committee, of which he was a member, reported unanimously that it was not proved that the sitting Members had any cognizance of the same, he hardly felt his conscience discharged by that decision, for the report of that Committee fell far short of the truth. What happened at Gloucester was this:—One of those low party agents, the necessity and disgrace of every party, went down from London with a large sum of money and bribed from one end of the city of Gloucester to the other, employing for that purpose a great number of local agents. The sitting Members were perfectly ignorant of this, and the first knowledge they had of the system of bribery was from the evidence of the witnesses called before the Election Committee. He was told that the same was the case with regard to the Norwich election, and he must say that the hardship inflicted upon the candidates by these agents was enormous. Let the candidates take all the precautions which human ingenuity could devise, and yet they were not secure, on account of party agents from London being sent down to the different constituencies. Those agents did not care one straw what happened afterwards to the Member. All they wanted was his vote on the first party division after the House met. He trusted the Government would issue Commissions of inquiry in such cases as he had alluded to, and that their attention would be particularly directed to the organized system of bribery which emanated from associations and clubs in London. [*A cry of* "The

Carlton Club."] He claimed no especial purity for any club, but he thought that this was a matter that should be inquired into.

SIR GEORGE LEWIS said, that the Government had, as a Government, no peculiar function in the matter to which the noble Lord referred. There was a provision in an Act of Parliament to which the language of the Report of the Committee on the Gloucester election had express reference. The report stated that "the Committee have reason to believe that corrupt practices extensively prevailed at the last election for the city of Gloucester." Such were the words of the Act of Parliament in reference to Commissions of Inquiry, and the practice hitherto followed, when a report like that was made, was first of all to place the evidence on the table and to have it printed, and then for the Chairman of the Committee, from whom the Report proceeded, to move an Address to the Crown for a Commission of inquiry. Upon a similar Address being agreed to by the other House, a Commission of inquiry issued. The Government, as such, had no special function in the matter.

SIR JOHN SHELLEY said, he intended to give notice of a Motion, that in the case of Members unseated for bribery no new writ should issue until the House had an opportunity of considering the evidence upon which the election had been declared void.

Motion *agreed to.*

House in Committee.

SUPPLY.—CIVIL SERVICE ESTIMATES.

COMMITTEE.

MR. MASSEY in the Chair.

(In the Committee).

(1.) £3,965, Office in London under Local Government Act.

MR. W. WILLIAMS said, he must complain of the increase of £1,385 in this Vote over the Vote of last year, occasioned by an increase for clerks' and inspectors' salaries, and for increased travelling and personal expenses. The sum of £2,600 for inspectors' salaries was enormous, and there ought to be some explanation in regard to them.

SIR GEORGE LEWIS said, the Vote had reference to the Act of last year, and the department by which it was administered was in reality a sub-department of the Home Office. He considered the Local Government Act a useful and wholesome Act if properly administered. Its object was to diminish the expense of obtaining local Acts. For this purpose it was necessary that there should be inspectors. The business under this Act had increased on account of the demands of the public, and the augmentation in the expense indicated the augmentation of the labour since last year. During the last year bye-laws had been examined and confirmed in 66 cases, and, if the Committee bore in mind the expense which would have been incurred in obtaining 66 local Acts, he thought they would be satisfied that the existing system was, at all events, a cheap one. The Act had been adopted in 35 boroughs and towns; boundaries had been settled in 32 cases; sanitary works, &c., had been sanctioned in 42 cases; miscellaneous inquiries had been instituted in 24 cases; and provisional orders had been submitted to Parliament in 12 cases, in four of which they had been confirmed, and the remaining eight were under consideration.

MR. EDWIN JAMES observed, that this Vote had been postponed in order that the Government might inform the Committee whether the damages and costs recovered in the courts of law in cases questioning the decisions of the inspectors had been defrayed from the public Exchequer, or by the local Boards which had acted under the authority of the inspectors. He had received a letter from a gentleman who was formerly a member of that House (Sir J. Tyrell), stating that, with the sanction of inspectors acting under this Board, the sewage of Chelmsford had been turned into a river which ran past his residence three miles from that town, and that he suffered most severely from the nuisance. He (Mr. James) thought the Committee ought to be informed whether the damages and costs in the cases to which he had referred had been defrayed by the inhabitants by local rates, whether they had been paid by the inspectors, or whether they were charged upon the Exchequer.

MR. LAING said, that since the previous discussion, he had caused a careful search to be made in the Treasury, and not the slightest trace could be found of any public money having been applied to such purposes as those to which the hon. and learned Gentleman referred, or of any claims of such a nature having been made upon the Treasury. He presumed, therefore, that the damages must have been paid by the local Boards out of the rates.

MR. CONINGHAM said, he had no doubt that gentlemen who had houses in the vicinity of moving streams were greatly annoyed when the drainage of towns was turned into them, but it must be remembered that Parliament had deliberately adopted that system with reference to the drainage of the metropolis.

Mr. PALK observed, that the expenses under this head appeared to have increased very considerably, and he wished to know what duties in London were discharged by the inspectors and clerks. He was of opinion that the Vote might be reduced.

Sir GEORGE LEWIS said, he could assure the Committee that there was not the slightest wish on the part of the Government to maintain any unnecessary amount of establishments under the Local Government Act. That Act was passed about this time last year and did not continue the old Board of Health, for none of the Commissioners who were connected with that Board had anything to do with this department, which was, strictly speaking, a sub-department of the Home Office, and had to consider the various requisitions and reports received from the localities which applied to be placed under the operation of the Act. No important measure could be taken without the consent of the Secretary of State, and, in fact, without the sanction of Parliament. He had made inquiries as to the necessity of the existing establishment, and had received a positive assurance that its maintenance was requisite. He might observe that it was quite a mistake to suppose that there was any Board in Whitehall Place. The only Boards referred to by the Act were the local Boards, and the powers were all exercised by the Secretary of State.

Sir JOHN SHELLEY said, he was of opinion that some more efficient check ought to be placed upon the proceedings of the inspectors. He knew nothing of those gentlemen beyond this—that they had generally shown complete ignorance of the commonest rudiments of sanitary drainage, and he thought therefore that they ought to be subjected to some controlling power.

Mr. W. WILLIAMS said, he thought the local towns who received the benefit of the Act should pay the expense of the Board.

Vote *agreed to.*

Motion made, and Question proposed,—

"That a sum, not exceeding £26,275, be granted to Her Majesty, to complete the sum necessary to pay the Salaries and Expenses of sundry temporary Commissions, to the 31st day of March, 1860."

Colonel SYKES said, he wished to call attention to the fact that the total amount of this Vote was £33,275, and that the increase upon the Vote of last year was no less than £28,873. He thought that careful attention should be paid to the objects of these Commissions, and that the House should not be too ready to grant public money for their maintenance. He might instance especially the Commission relating to the laws of Jersey, which had cost no less than £6,000, almost the value of the island.

Mr. BRADY said, the Harbours of Refuge Commission had already cost £3,000. He wished to know whether it was true that the bottom of the harbour at Holyhead was of solid rock, as he understood that anchors were of no use there.

Mr. A. SMITH said, that, after what had taken place during the Session of 1846, he was astonished to find that there were no less than four members of the Commission appointed to institute an inquiry on the subject of Harbours of Refuge who occupied official positions, and who, having given evidence before the Committee of the House of Commons, were identified with certain views. He therefore hoped that before any Government submitted Votes to the House in consequence of the recommendations of the Commission hon. Members themselves would carefully read and consider the evidence which had been taken by that Commission.

Mr. ALCOCK said, he could not but complain of the readiness exhibited by the late Government in issuing a Commission to inquire into the Sale of Liquors in Scotland, which had cost the country a £1,000. On the other hand, he might state that the Commissioners appointed to inquire into the "Metropolitan Tolls" had done their duty, and proved themselves to be men of business.

Mr. W. WILLIAMS said, that the money of eight of the items in this Vote had been drawn from "Civil Contingencies," and consequently the sums would be voted twice.

Mr. LAING said, that as to the last point he might state that as the Government could not tell how much would be required for the Commissions no Estimates could be formed. The money was taken from Civil Contingencies and then replaced after the Votes were granted. Nothing would be done in reference to Harbours of Refuge until after the House had had the fullest opportunity of considering the whole question.

Mr. EDWIN JAMES said, this Vote included an item of £2,361 for the Statute Law Consolidation Commission. It appeared from a note appended to the Estimate that an additional expenditure would be requisite for fees to draughtsmen employed to draw bills, the amount awarded for that purpose in the year 1858 having been £1,300. The Commission was appointed in 1854, and he believed that up to the present moment they had literally done nothing towards the consolidation or improvement of the statute law of England, but that, on the contrary, they had been an incubus upon and an impediment to any attempt at amendment, for, whenever attempts were made by private or official Members of that House to consolidate the criminal statute law, they were always told that a Commission existed which was dealing with the subject. The late Attorney General for Ireland (Mr. Whiteside), while he was in office, applied himself to the amendment and consolidation of a very large portion of the criminal statutes; but when he laid the results of his labours upon the table of the House, the Attorney General for England stated that a consolidation of the statute law was already in progress, and that they must wait and see what was the result of the proceedings of the existing Commission. Before the late Attorney General for Ireland placed his Bills upon the table the late Attorney General for England (Sir F. Kelly) expressed his readiness to bring forward Bills for the consolidation of the criminal law in England; but nothing came of the proposal, nor was it likely that anything would be done so long as they had a Commissioner at £1,000 a year nursing the old statutes. The Attorney General had said, in answer to the right hon. and learned Gentleman opposite (Mr. Whiteside), "Leave the matter to me, not to the Commission; and I will undertake myself to produce early next Session some measures for the consolidation of the statutes;" so that the Attorney General had taken upon himself the labours of the Statute Law Commission. Why, then, he asked, was it necessary to continue that Commission?

Mr. WHITESIDE said, he regretted that none of the law officers of the Crown were present to explain the views of the Government upon this important subject. As his hon. and learned Friend had said, if the present system were pursued no satisfactory result would ever be attained. His hon. and learned Friend had even understated the case, for in addition to the item of £2,361, included in the Vote, he found from a note in the next page of the estimate that work had been done the fees for which were not yet settled, so that £2,361 did not accurately represent the expenses incurred for this purpose within the year. He had in his hands the Report of the Statute Law Commission, which was signed by Lord Lyndhurst, Lord Brougham, Lord Cranworth, Sir Page Wood, and other gentlemen of eminence in the legal profession, who in February, 1859, after stating that as many as ninety consolidating Bills might be expected, suggested that some barrister of eminence should be selected to devote his whole time and attention to the superintendence of the work; and they added that this gentleman would have no difficulty in parcelling out the different Bills, and that, as each Bill was completed, it would be his duty to compare it carefully with the register, to ascertain that it embodied all the existing Acts, and to point out any incongruities which might be apparent. The Commissioners stated that the general improvement of the statute law was beyond the scope of their duties, and he thought the House ought to determine whether this work was to consist of the mere copying out and putting into smaller compass the criminal and general statute law, or whether, as the Commissioners stated they had no power to "improve" the statute law, it was worth while continuing a Commission which could not improve, but could only pursue the work of consolidation. The Commission, however, had collected a great deal of useful matter, and issued several reports, which were important, although they were not always consistent with each other. What they wanted to know now was what course the Government intended to pursue with respect to this subject. As Mr. Bellenden Ker had resigned his office it was hardly necessary to continue the Vote.

Sir GEORGE LEWIS said, he also would express his regret at the absence of the law officers of the Crown, but he would afford the Committee all the information in his power with respect to the intentions of the Government. The right hon. and learned Gentleman (Mr. Whiteside) was mistaken in supposing that a larger amount than that now asked for was to be applied to this purpose, for if the Committee assented to the Vote it would not be in the power of the Government to apply more than £2,361 to the consolidation of the statutes during the present year. [Mr. Whiteside: The fees to which he had referred might be paid from the Civil Contingencies.] At all events, the Vote for the Statute Law Commission for this year was £2,361, and it was not intended to fill up the office of the paid Commissioner which was then vacant by the retirement of Mr. Bellenden Ker. The question was, then, whether it was worth while to get rid of the name of the Statute Law Commission, when there would be a certain number of unpaid Commissioners, with a secretary and clerks, who would afford them assistance. It was not intended, as he had said, to establish a system of paid Commissioners. As hon. Gentlemen were aware, this was a subject of considerable difficulty, and most discordant opinions prevailed among professional men of the greatest ability as to the proper mode of codifying our laws. At one time a plan was proposed, and was very favourably entertained, for reducing the common law into a written form, and placing the whole of the criminal law in writing by means of an incorporation of the common law with the statute law. After considerable discussion, however, that plan has been rejected, and they had now to deal with the more easy and feasible proposition of simply consolidating the existing statute law. To this object the labours of the Commission had been directed for some time past, and they had made a most elaborate register, containing a complete index to the different enactments, without which it would be impossible to proceed safely in the work of consolidation. That work had, to a great extent, been accomplished; the subject had been mapped out into a number of divisions, and considerable progress had been made in the consolidation of the statutes. About ninety consolidating statutes had been prepared, and it was reckoned that the whole statute law of England might be distributed in 300 statutes. There was no doubt that if that work could be accomplished it would be of immense advantage, not only to students and practitioners of the law, but to all persons connected with business, as well as to the public at large. Great advantages, he need scarcely say, had resulted from the consolidation of criminal statutes, of the revenue Acts, and of other branches of the law, which had already been effected. The desire of the Government was, that the process of consolidation should be carried on under the authority of the Lord Chancellor, the Attorney General, and those eminent law Lords and Members of the legal profession who now constituted the Statute Law Commission. At the same time he thought it was evident that work of this description, requiring minute research, great labour and accurate professional knowledge could not be carried on without adequate payment; and although it was far from the desire of the Government to convert the Commission into a source of patronage, or to employ any persons whose services were not required, it was obvious that reasonable remuneration must be given, while care was taken that the public had full value for their expenditure. The right hon. and learned Gentleman (Mr. Whiteside) had said that the Statute Law Commissioners disavowed all intention of improving the statute law, and he (Sir George Lewis) conceived that they had taken a perfectly correct view of their duties. He did not think they ought to have such a power, but that they should continue their work upon the understanding that their business was essentially one of consolidation and not of new legislation. It was the business of Parliament to provide for new legislation, and the Commissioners ought to confine themselves to the duty of consolidating the existing law, without attempting to improve that law, which was properly the duty of Parliament. It would be utterly impossible for Parliament to discuss these consolidating measures in the same way in which they would discuss new questions of legislation; for if thirty, forty, or fifty consolidating Bills were placed upon the table, they could not go through them clause by clause in Committee, but must to a great extent take them on the credit of the body by whom they were prepared. Indeed, unless Parliament could feel satisfied that the Bill laid upon the table were a faithful compilation and digest of the existing laws without the introduction of any important innovation, it was utterly impossible that the consolidation of the statute law could ever be effected upon a large scale.

Mr. WISE said, that as the paid Commissioner was to be abolished, the best course would be to wind up the whole affair and make a fresh start on this subject, and that if the Government nominated two or three first-rate lawyers to perform the duty of consolidating the statutes, and paid them properly, they would soon have Bills prepared in such a manner that they might at once be submitted to the House. If the Government did not withdraw the item for the Statute Law Commission from this Vote, he would move the rejection of that item.

THE CHAIRMAN: Does the hon. Member mean to reject the whole item?

MR. WISE.—No; the item of £2,361 for the Statute Law Commission.

SIR HENRY WILLOUGHBY said, that the House was to blame for the condition in which the statute law now stood. When hon. Members brought in amending Bills they ought, instead of repealing this or that enactment, to consolidate the whole matter. Let dead and useless statutes be repealed, and if, as was once said, the statute law could be reduced to four volumes, that would indeed be a great advantage to the country.

SIR GEORGE LEWIS said, he hoped the Committee would not come to a decision for omitting the item. He had already explained that there was no more to be a paid Commissioner, and if it was the wish of the House that this particular Statute Law Commission should cease, he had no doubt that the Vote could be proposed next year under some different title. [*Laughter.*] What he meant to say was that if the jealousy of the Committee was directed against the Statute Law Commission, and if they wished that the work to be done should be placed more directly under the Executive Government, the present item might in future disappear from the Estimates, with the understanding that the business now executed under the Statute Law Commission should be continued, though in a different form.

MR. WISE said, he would ask what was the use, if a paid Commissioner was not to be appointed, of voting his salary of £1,000? When Sir R. Peel consolidated the statutes he required no Commission.

MR. EDWIN JAMES said, he understood that the hon. and learned Attorney General had stated, that between this and next Session he would prepare certain consolidated Bills. That hon. and learned Gentleman did not want this Statute Law Commission, and if he needed assistance, no doubt the House would be prepared to pay for it afterwards under the head of Civil Contingencies. The Committee ought to get rid of this Commission altogether by getting rid of the item.

SIR GEORGE LEWIS said, he had no objection to reduce the item by £1,000, the salary of the Commissioner. It appeared that there was now but a mere verbal difference on this question, for the hon. and learned Gentleman said, he was quite content to give every assistance to the Attorney General for consolidating the Statutes from the Civil Contingencies. That was substantially what he (Sir G. Lewis) had proposed—namely, to bring the matter under the control of the Executive Government, but the Civil Contingencies constituted a fund voted, not for any specific purpose, but to meet unforeseen demands.

MR. WHITESIDE observed, that the Commissioners themselves stated that they did not intend to make any fresh consolidations of importance, because they awaited the result of an inquiry commenced by a Select Cemmittee of the House of Commons as to the expediency of appointing an officer of the Houses of Parliament to revise and improve the current legislation.

SIR GEORGE LEWIS said, he would point out to his right hon. Friend that the Committee he had referred to had no reference to consolidating existing statutes.

MR. WHITESIDE replied, that the words of the reference referred distinctly to consolidation.

SIR JOHN SHELLEY said, he thought that what the Attorney General had undertaken to do was more likely to be well done than if executed by this Commission. It was not certain that that learned Gentleman would require the assistance which had been spoken of, but if he did, no doubt it would be granted to him.

COLONEL FRENCH said, he did not see, as the Government had undertaken to do away with the Commissioner, what was the use of maintaining the body after the head was cut off.

Motion made, and Question put,—

"That the item of '£2,361, for the Statute Law Consolidation Commission,' be omitted from the proposed Vote."

The Committee *divided*:—Ayes 91; Noes 80: Majority 11.

(2.) Original Question, as amended,—

"That a sum, not exceeding £23,914, be granted to Her Majesty, to complete the sum necessary to pay the Salaries and Expenses of sundry temporary Commissions, to the 31st day of March, 1860,"

put and *agreed to.*

(3.) Motion made, and Question proposed,—

"That a sum, not exceeding £20,095, be granted to Her Majesty, to complete the sum necessary to defray the Fees, Salaries, Expenses, and Compensations, payable under the provisions of the Patent Law Amendment Act, to the 31st day of March, 1860:"—

Mr. BRADY said, he wished to call attention to the expenses a poor man of genius was put to for obtaining a patent. The consequence frequently was, that he was obliged to sell his invention to some wealthy person, who thus obtained nearly all the reward which should belong to the inventor. There were a number of officers and clerks attached to the Patent Office, and their allowances occasioned the expense in obtaining patents. There was also a sum of £8,300 in the Vote payable to the law officers of the Crown in England. He had no objection to the law officers being properly paid, but he objected to their being paid in this way. They ought not to be paid out of the pockets of the poor man. He had no hesitation in saying, that it was a tax on the intellect of the poor, and therefore he felt it his duty to propose that the Vote should not be agreed to.

Mr. LAING said, that the course the hon. Gentleman proposed would defeat his own object, for his Motion, if carried, would prove an injury instead of a benefit to the poor inventor. The expenses of obtaining a patent were by the change in the law greatly reduced. The registration Court and the Museum had proved of the greatest utility, for nothing was more important for a humble man, before going to the expense of taking out a patent, than to ascertain whether a similar patent had been registered beforehand. It was mainly to establish a machinery for this purpose that the expense for the Patent Offices was rendered necessary. The fees now fixed were on the lowest rate, simply rendering the office self-supporting. The question concerning the law officers of the Crown was discussed very much last year, and it was then very clearly shown that the fees they received were not mere honorary fees, but every patent which passed through their hands involved points respecting the rights of the Crown, on which it was necessary that the Crown should take the opinion of the law officers, and if a charge were made, according to the usual rate of professional fees, that charge would be larger than the one that appeared in the present Vote.

Mr. W. WILLIAMS said, the amount received by the law officers of the Crown out of the inventive genius of the country amounted to the extraordinary sum of £8,300. He would move that these fees be reduced one-half. He would like to see the fees go into the Exchequer, and the law officers of the Crown paid by salary. He understood they received three times as much as the Judges of the land, while the business was actually done by a few clerks.

Sir EDWARD GROGAN said, that there ought to be branch patent offices in Dublin and Edinburgh. He was disposed to agree in the Motion of the hon. Member for Lambeth. The Crown lawyers ought to be paid and well paid, but they ought not to be paid at the expense of the poor inventor.

Mr. WISE said, he could not Vote for the Amendment of the hon. Member for Lambeth; for if these fees were abolished, other provision must be made for the law officers.

Colonel SYKES observed, that there would be a surplus of £20,000 next year on the £68,500, which was likely to be raised from the inventive intellect of the country. He hoped that some of this money would be applied to reduce the stamp duty, and the other expenses which debarred the poor man from bringing out his invention.

Mr. LAING observed, that the law officers had to give their opinion on the legality of patents before the seal was put to them, and it was of importance to the industry of the country, and to poor inventors as well, that the records of the Patent-office should not be filled up with a number of patents of doubtful validity occasioning difficulties and litigation.

Mr. BRADY observed that at present there was scarcely a day passed without litigation of the most serious character being carried on with regard to patents.

Mr. EDWIN JAMES said, he believed that the law officers of the Crown had a good deal to do with respect to patents, and nothing would be more disastrous than that people should get patents for all sorts of things without any proper investigation.

Whereupon Motion made, and Question,

"That the item of £8,300 for Fees payable to the Law Officers of the Crown in England be reduced by the sum of £4,150,"

put, and *negatived.*

Original Question put, and *agreed to.*

The following Vote was also *agreed to.*

(4.) £9,254, Board of Fisheries Scotland.

(5.) £1,000, Board of Manufactures Scotland.

Mr. W. WILLIAMS said, it was a most

astounding thing that £1,000 should be required to teach the people in Scotland manufactures.

Mr. LAING said, the amount was really expended in the support of a school of design in Edinburgh.

Colonel SYKES: Why is it not stated so distinctly in the Estimates?

Mr. BRISCOE said, this estimate showed the carelessness in which Estimates were prepared by the Government.

Vote *agreed to.*

(6.) £5,000, Highland Roads and Bridges.

Mr. LAING said, the money was required to keep in order roads in poor districts. The money was formerly taken out of the Excise receipts, but under the new system the Vote came under the notice of Parliament.

Mr. W. WILLIAMS remarked that he could not understand why the public should be taxed to keep these roads in repair.

Vote *agreed to.*

(7.) £900, Ancient Laws and Institutes, Ireland.

Mr. LAING said, the Commissioners were not paid, and they merely asked for a small sum for printing these old, valuable, and historical documents.

Mr. W. WILLIAMS said, two years ago a promise was given that this Vote should be discontinued.

Mr. LABOUCHERE said, these old laws were of the highest value to those who took an interest in Ireland. He thought the money was well spent.

Vote *agreed to,* as were also the following Votes:—

(8.) £58,700, Merchant Seamen's Fund Pensions.

(9.) £15,000, Distressed British Seamen Abroad.

(10.) £4,000, Quarantine Arrangements.

(11.) £40,000, Payments under Reciprocity Treaties.

Mr. LIDDELL said, the attention of the Government ought to be directed to this Vote, which had grown and was growing to an enormous amount. He trusted that they would not only stop its growth but reduce it to a proper size.

Mr. LAING said, propositions for reducing the Vote were now under the consideration of the Treasury.

Vote *agreed to.*

(12.) £15,000, Tonnage Bounties on Slave Vessels.

Mr. CAVE said, he wished to call attention to the objectionable principle contained in this Vote. The system was wrong, and in his opinion some change might be made. He had been told by an American officer that the object of the commanders of our cruisers on the African coast was not to capture slavers when they were going in to receive their cargoes, but to wait until they had shipped them, because they then gained a higher amount of prize money, obtaining the bounty on slaves as well as the tonnage bounty. He (Mr. Cave) did not believe there was the slightest ground for such an imputation, but he thought it of great importance, especially so far as America was concerned, that our conduct on this subject should not only be pure and upright, but above suspicion.

Mr. LAING said, he was satisfied that no such mercenary motives could justly be imputed to our naval officers and sailors on the African coast; but it was well known that if they captured as slavers vessels on board of which no negroes were found, there were great difficulties as to the condemnation of such ships, and they ran the risk of being involved in expensive legal proceedings.

Sir GEORGE PECHELL said, the stigma formerly attaching to the name of British officers and sailors in this service did not now exist. Great indulgence ought to be shown to men who were wasting their lives on a troublesome duty, without hope of promotion by the Board of Admiralty.

Vote *agreed to.*

(13.) £36,700, Lighthouses abroad.

Mr. A. SMITH said, that this Vote was annually growing. It appeared that lighthouses had been erected at the Bahamas and Ceylon, British Columbia (in this case at a cost of £7,000), the Cape, Western Australia, and Sable Island, Nova Scotia. He was at loss to understand the principle on which this assistance was given to the Colonies, and as there was an increase of £10,000 on the Vote of last year, he thought the Vote ought to be reduced by that sum.

Mr. LAING replied that lighthouses for local purposes were paid for by colonial funds, except in case of a new colony, such as British Columbia. In places where there were no local funds, and lighthouses had to be erected upon barren rocks—as was the case with the majority of those for which the Vote was asked—for the protection of our own shipping and the shipping of the world, the national fund was clearly the only one available. At Ceylon lighthouses were paid for locally, except with regard to those which were required for the purpose of the national traffic, and these appeared in the Estimates. Sable Island he would inquire about.

Mr. HALIBURTON said, that the contribution of this country of £400 towards the expenses of the establishment at Sable Island, Nova Scotia, for the relief of persons shipwrecked was wise and proper. The coast there was one of the most exposed on the whole American Coast. Formerly no Government owned Sable Island, but in consequence of wreckers having taken possession of it for the purpose of causing shipwrecks, the Government of Nova Scotia embraced it within their jurisdiction, and provided the other moiety of £400. There had been numerous wrecks on that coast, and he thought this a humane and excellent provision, and one which could not be withdrawn.

Mr. LAING said, if any economy could be introduced into this department of the Estimates, it should have his best attention.

Vote *agreed to;* as was also—

(14.) £1,000, Settlement of the Orange River Territory.

On the Vote of £40,000 for promoting the improvement of the Kaffirs, and for the settlement and government of British Kaffraria,

Mr. WISE said, that in 1855 a Committee of that House had very properly acceded to the request of Sir George Grey, the governor of the colony, by granting £40,000 for this purpose, and it was understood that the grant should be continued for three years. Last year the Treasury considered that the time had arrived for a reconsideration of the Vote, but at the suggestion of a noble Lord opposite a grant of £20,000 was agreed to, in order that no inconvenience might result from the sudden cessation of aid which had heretofore been afforded. They had already spent £415,000 for this object, including the removal and settlement of the German Legion. In 1857 their imports from British Kaffraria were £41,000, last year they were only £13,000. The exports in 1857 were £79,000, last year they were only £8,900. He wished, therefore, to know whether the objects contemplated in 1855—the establishment of industrial schools, of educational institutions, and of hospitals had been attended with the anticipated results, and whether the Kaffirs evinced any disposition to abandon their warlike pursuits, and to yield to the influence of civilization and Christianity. Judging from returns of the imports and exports, and of the Customs' duties, the settlement of British Kaffraria, so far from progressing and prospering, was in a state of declension. He should rejoice as much as any one at the spread of education and civilization amongst the Kaffirs, but he really thought they might find as worthy objects of their benevolence at home.

Mr. CONINGHAM said, there was an ample military force in the Cape when the German Legion went there. He objected to this Vote of £40,000, and should take the sense of the Committee upon it.

Mr. C. FORTESCUE said, he could assure the Committee that he had every reason to believe that the expenditure of these grants had been attended with great advantages. The natives were employed in industrial pursuits, they were receiving wages for their labour, and the consequence had been that during the Russian war and the Indian mutiny this country had not been called upon to bear the additional burden of a war in Kaffraria. The Vote was last year diminished by £20,000, but it was stated by the Governor that sufficient notice had not been given of the reduction of the grant to enable him to cut down the expenses, and therefore the Vote of £40,000 was now proposed, but without any intention of asking for a similar Vote next year.

It being within ten minutes of four o'clock, the Chairman left the Chair.

House resumed.

Resolutions to be reported *To-morrow.*

CHELTENHAM ELECTION.—REPORT.

"That Colonel Francis William Fitzhardinge Berkeley, is duly elected a Burgess to serve in this present Parliament for the Borough of Cheltenham.

"And the said Determination was ordered to be entered in the Journals of this House."

EDUCATION (IRELAND) QUESTION.

Lord FERMOY said, he wished to ask the Chief Secretary for Ireland whether it was the intention of Her Majesty's Government to introduce, in the next Session of Parliament, any measure dealing with the subject of the Endowed Schools, and of Intermediate Education generally, in Ireland.

Mr. CARDWELL said, the noble Lord was well aware of the difficulties attending the general question of Education in Ireland; no portion of it presented greater difficulties than the subject of intermedial education; he could only say that the matter would have his best consideration.

SUBMARINE TELEGRAPH CONTRACTS.—QUESTION.

LORD ASHLEY said, he would beg to ask the Chancellor of the Exchequer whether it is the intention of Her Majesty's Government to suspend further proceedings with regard to Submarine Telegraph Contracts until the Report of the Select Committee now sitting upon the Packet and Telegraphic Service is laid upon the Table of the House.

THE CHANCELLOR of the EXCHEQUER said, he had stated on a former occasion that it was the intention of the Government to suspend generally all proceedings with respect to Packet Contracts until the Committee should have had an opportunity of considering them; and undoubtedly the Government entertained the same intention with respect to Submarine Telegraph Contracts. The House would understand that he made that answer generally, but it was possible that circumstances might arise under which a case of exception might be created. Something must, of course, depend upon the time which the Committee might occupy in their investigations, and there was one matter—namely, the manufacture of a submarine cable—with regard to which it may be necessary for the Government to take measures before the Committee made their Report. As a general rule, however, so far as the Government could see their way, it was their intention to take no proceedings upon the subject of the Submarine Telegraph until after the Committee had prepared their Report.

EXPENSES IN GAOLS (IRELAND). QUESTION.

MR. DAWSON said, he would beg to ask the Chief Secretary for Ireland what provision it is proposed to make for carrying out the recommendations of the Select Committee of last year (1858) for defraying the expense in County Gaols, of the maintenance of felons and misdemeanants convicted for serious offences, the expenses of witnesses at Assizes and Sessions, the increase of the Salaries of the Schoolmasters in Workhouses, and in the Half Medical Relief in Poor Law Unions.

MR. CARDWELL was understood to reply that he had received notice from the Treasury that they would be ready to defray the expenses of felons an dmisdemeanants, and all the expense of witnesses in prosecutions; but with regard to the two latter items—of Half Medical Relief and Schoolmasters' Salaries—he could not hold out any hope that a similar mode would be applied in their payment.

MR. DAWSON said, that as he must consider the answer of the right hon. Gentleman as so far unsatisfactory as regarded the Half Medical Relief aid, he would, on the Motion of the adjournment of the House from Friday next till Monday, call the attention of the right hon. Gentleman to the concluding paragraph in the Report of last year's Committee.

THE ROYAL HIBERNIAN ACADEMY. QUESTION.

MR. MAGUIRE said, he rose to ask the Chief Secretary for Ireland whether any and what steps have been taken to effect certain reforms in the administration of the Royal Hibernian Academy, and why there was no Vote in the Estimates this year for the Academy.

MR. CARDWELL said, the Report of Mr. Macleod recommended that the Schools of the Royal Hibernian Academy should be united to those of the Royal Dublin Society. That had since been done. A correspondence then took place between the Academy and the Government in reference to the continuance of the Grant for other purposes. The Academy asked for £500. The Government expressed their willingness to give £300. No conclusion had been arrived at, and therefore no Vote was proposed in the Estimates.

BUSINESS OF THE HOUSE.

SIR GEORGE LEWIS said, that when he brought in the Ecclesiastical Commission Bill he stated that it was his intention to confine it exclusively to points which did not appear likely to provoke any controversy, and subsequently he expressed his readiness to abandon those Clauses of the Bill which were calculated to invite debate. Now, no notice had been given of any amendments upon the Clauses; but a long series of new Clauses had been proposed, which would in fact amount to a Bill, on many disputed and controverted points—which it was desirable to avoid. Under these circumstances, seeing no prospect of the House being able to agree to a

Bill of that character in the present Session, he should not proceed with it further. He should, therefore, place the Police Bill as the first order on the paper for tomorrow, at twelve o'clock; and the Roman Catholic Charities Bill would stand second.

EAST INDIA LOAN.—COMMITTEE.

Order for Committee read.

House in Committee.

Mr. Massey in the Chair.

Sir CHARLES WOOD: It has often been my duty to address the House upon questions of great national importance, and more than once upon the subject of India; but I confess I never addressed it under feelings of such deep responsibility as those under which I now rise to bring before the Committee the state of India, more especially in reference to its finances. I do not think that my hon. Friend the Member for Birmingham overstated the importance of this subject, when he told us the other night that it was hardly second to those questions of domestic and foreign policy which have occupied our attention for the last two months. When we consider not only how important India is to England, but the many millions in that country who now own the sway of the British Sovereign, and as to whom we have undertaken the solemn duty of providing good Government, I do not think it possible to overrate the task which is imposed upon the Government and the Parliament of this country. It is not my intention, however, upon the present occasion to go into general questions concerning the state or welfare of India. Her financial prospects are grave enough to occupy the attention both of Government and of Parliament, and certainly no deeper responsibility was ever imposed upon either. It will need all the wisdom and all the energy which the Government can bring to the consideration of the subject; it will require all the aid and support which I doubt not they will receive from Parliament to deal properly with a matter of such vital importance. It is not necessary for me to remind the Committee of what vital importance to all countries the state of their finances is. If their financial state be good, there are few dangers which they may not confidently hope to overcome; if their financial state be bad, there are few dangers with which they can effectually cope. I need not say, because I am convinced that every one who hears me is aware, that the financial state of India at this moment demands the most anxious consideration. In saying that, however, I must not be understood to say that the future prospects of India are, in my opinion, gloomy or hopeless. I confine that statement to the present time, when we have not recovered from the effects of an overwhelming and unforeseen calamity. When we have surmounted the difficulties of the next two or three years, I see no reason why India should not be restored to that state of prosperity, material and financial, in which she was before the late mutiny broke out. I see no reason whatever to anticipate that she may not be restored to that state in which it was my good fortune to leave her when I held the office of President of the Board of Control. It is but four years and a half since I filled the post which I have now the honour to occupy of Indian Minister, and a more grave and melancholy contrast can hardly be conceived than that which exists between the state of India when I left that position and the state in which I find her on resuming it. At that time we had, as I hoped, closed our career of war and conquest. Universal confidence prevailed. We had an army in the fidelity of which every one trusted, and for which those who were best acquainted with it—namely, its officers—would have answered with their lives. We had a surplus revenue, and the only object we had was to develope the internal resources of the country, to devise an improved system of education, to promote a better administration of justice, the more rapid progress of railways and electric telegraphs, to improve the navigation of the rivers and the means of irrigation, and, in fine, to bring out those resources which India so abundantly possesses, and which may make her the source of wealth not only to herself, but, by furnishing us with an ample supply of raw materials for our manufactures, to this country. Since that time the whirlwind of the mutiny has passed over the land, marking its course with murder and bloodshed. Confidence is destroyed; our trusted soldiery have proved unfaithful; public works are checked; and financial difficulties of the most serious description have been caused by the late events. Within the last few weeks to those misfortunes has been added the discontent, and, I am afraid I must say, from the reports just received, the mutiny of a portion of the local European troops in India. These are difficulties great enough to grapple with. They require the most careful consideration — the most vigorous and well-matured action — on the part of the Government and the Parliament. I do not intend, however, as I have already said, to go beyond the financial position of India on the present occasion. At an earlier period of the Session the noble Lord who preceded me as Secretary of State for India went at considerable length into many subjects connected with the general state and welfare of India. Those who take an interest in India expressed their opinions at that time, and, considering not only the importance but the vastness of the subject which I must bring before the Committee to-night, I think I shall best consult the wishes of hon. Members, and enable them to form a more clear judgment upon the one great and important question of the finances of India, by abstaining from going into those general topics which were abundantly discussed at the commencement of the Session, and upon which I cannot pretend to be able to throw any additional light at the present moment. The noble Lord, upon the occasion to which I have referred, in dealing with the state of Indian finances, necessarily spoke from imperfect information. Very soon after his statement was made further information, of the most serious character as to the finances of India, reached this country, and although I think the reports which then appeared rather exaggerated the evil, yet the accounts which we have subsequently received, and which have been laid on the table of the House, present no very promising prospect for the next year or two at least. I have laid on the table every despatch which has been received. No information has been withheld from the House. The despatches were printed and delivered on Thursday morning. The annual accounts up to 1858 have also been laid on the table, but I am sorry to say they have not been printed, though I do not think they materially affect the question now before us. I repeat, then, the House is in possession of all the information which we can place before it in respect to Indian finance. But, before proceeding to deal with the figures, there are two further observations which I may be permitted to make. One is that the House must remember that it is perfectly impossible to answer with precision for the absolute accuracy of the sums. Since the 30th of April, 1858, everything is a matter, not of account, but of estimate. Of course the estimates will be nearer the truth when they apply to the past than to the present year, but there will be discrepancies, many, however, of which will be accounted for by the alteration of circumstances which is explained in the papers before the House. For instance, the annual sketch estimate is dated the beginning of April, but a most material alteration is made in it by a despatch dated the 14th of May. I cannot pretend, therefore, to great precision in statements of figures. I shall deal with the subject in round numbers, keeping as near the truth as is possible in matters of estimate, not of account. The second observation which I have to make is, that in my statement I shall speak of the rupee as being equal to 2*s.* of our money. Some confusion was caused by the statement of my predecessor, owing to the circumstance that in one place he took the rupee at 1*s.* 10½*d.*, and in another at 2*s.* I think it will be more convenient, and will certainly prevent misunderstanding, to calculate the rupee invariably as being worth 2*s.* Let me premise also that I do not intend to go back beyond the month of April, 1857. I shall not go back to the accounts of former years, in which the rupee, is taken at 1*s.* 10½*d.* It so happens that the last financial accounts which have been printed are those for the year ending the 30th of April, 1857, and, as that was the last complete year of peace, the mutiny breaking out in May, 1857, we have the best possible point to start from. At that time the Revenue and expenditure of India may be said to have been equal. The debt of India bearing interest was £59,442,000. The annual interest upon that debt was £2,525,000, and the military expenditure was £12,561,000, of which £12,196,000 was ordinary, and £365,000 extraordinary expenditure, likely to cease in the course of that year. That was the state of India immediately before the mutiny broke out. In the course of the two subsequent years the expenditure considerably exceeded the income. In 1857-8, the expenditure was about £40,226,000, including an item of interest upon the railway capital, which is a charge on the revenue of India; and the revenue was £31,706,000, leaving a deficit in the course of the year of £8,520,000. In the next year 1858-9 — hon. Gentlemen will remember that the financial year in India ends on the 30th of April—the expenditure, including the interest on railways beyond the receipts, amounted to £48,507,000. The revenue was £33,800,000, thus leaving a deficit of £14,701,000. The deficit in the two years was £23,221,500. That deficit was provided for in the following manner:—We have borrowed in India in 1857-8, £5,157,000, and in 1858-9, £5,398,000, making together borrowed in India in the two years in round numbers £10,556,000. We borrowed in England in 1857-8 £4,788,000; in 1858-9 (and this is exclusive of my noble Friend's loan), £6,773,000, being a total sum borrowed in England of £11,562,000 for the two years. The whole sum borrowed is £22,118,000, and the remainder of the deficit is made up by a diminution of balances up to this time of £1,103,000, the sum borrowed and the diminution of balances being of course equal to the excess of the expenditure, or £23,221,500. That is the state of things up to the 30th of April last. On that day the debt of India bearing interest there and at home amounted to £81,580,000. The interest on that amounts to £3,564,000. But then comes the item of expenditure which is the source of our difficulties—the military charges of that year, which amounted to £25,849,000, including the expenditure on military buildings. It is fair, however, to say that some portion of that was due to the charges of previous years. That is as near an estimate as can be made for the year ending April last. I now come to the income and expenditure for 1859-60. Hon. Gentlemen who may happen to have in their hands the late despaches laid before the House will see that there is a despatch dated April 1, containing a sketch estimate of the year, 1859-60. Owing, however, to information subsequently received, the statements in that account are corrected by a rough estimate of receipts and disbursements for 1859-60, which will be found at page 34 of the same papers. It will be better, I think, to proceed upon the estimate only, without referring to the previous one subsequently corrected, excluding also from consideration a great deal which appears in that account, because mixed up in it are not only the receipts and expenditure but the balance one way and the other as between the two countries. I shall, however, deal only with revenue and expenditure, leaving unnoticed the cash account between India and England. The expenditure in India I will take at £38,380,000. It appears in the account at £39,000,000, but then they include part of the expense of the stores from England, which is rather a charge in England than in India, seeing that the expenditure takes place here. Excluding that item, but including the payment on account of the Tanjore debt, which is in point of fact a repayment of the debt, the expenditure in India in 1859-60 is £38,380,000. The charges at home, including the stores, is £5,581,000. I then come to a large item—namely, the interest on the railway capital paid into the Treasury here, which interest becomes chargeable upon Indian revenue as soon as the capital is so paid. I hope that ultimately, when Indian railways become remunerative, this item will cease to appear in the accounts, but at present it constitutes an annual charge, which must be provided for either out of the revenues of India or by a loan. The interest for this year is about £1,114,000, while the receipts on account of Indian railways in the course of the year are upwards of £200,000, so that I take the item at £900,000. I must then add the charge to which the noble Lord referred, but as to which he was unable to give any estimate to the House—namely, the compensation to be paid in consequence of losses by the mutiny. In some cases, to a small extent in the Punjab, a fine was instantly imposed on the villages, and compensation was made. With regard, however, to the greater part of the losses, no such measure was possible. An officer has been appointed in India to receive claims on this ground and the amount has been sent home to this country; but his report is only a *primâ facie* one, and as to some of the claims no sufficient evidence has been received to enable him to adjudicate. Now, I must say that I cannot admit these to be claims of right. In many cases—such for example, as the Santhal rebellion—no compensation at all was allowed. In other cases compensation was given as a matter of favour distinguished from right—a just and due consideration, I think, for the losses of the parties, though not going to the full extent even of the admitted injury, but dealing with different kinds of property on different grounds, and allowing a proportion of the loss ultimately established. The view which the Government entertains on this subject is that a distinction should be made between property which it was impossible to move and property which might have been saved from injury. In the one case we propose to give about one-half, and in the other one-third of the loss which was ultimately established. The estimated amount, taking these figures, would be somewhere about £800,000; but, supposing that there are some claims not yet adjudicated, and others not brought in, I take a margin. The whole compensation allowed may not, perhaps, be as great as the losers will be anxious to obtain, but considering the financial state of India, I think it will be a reasonable one. We propose to limit the amount of compensation to £1,000,000. Adding that to the sums I have already stated, the charge for 1859-60 will amount to £46,131,500. With regard to the revenue, the estimate, as stated in the papers to which I have referred is £35,850,000. That includes the amount which it is calculated will be received from the additional taxes that have been imposed. Their probable proceeds will be found at pages 16 and 17 of the last papers presented to Parliament. The estimated amount of Customs' duties is about £1,000,000 and the increase of opium is also stated. Now, I know that considerable objection has been taken to the increase of Customs' duties, and much complaint has been made at Calcutta, at least, of the charges thereby imposed on the European population. I am not one of those who are fond of an increase of Customs' duties as a permanent source of revenue; but it was essential for the Government of India to have money at once. They might have imposed duties which would have brought in money at some future time; but they wanted it immediately, and I know of no way in which they were so sure of procuring it as by the course which they took in increasing the Customs' duties. However, therefore, some hon. Gentlemen may object to the increase of the Customs' duties as a permanent source of revenue, I think the Government of India were, under the circumstances, perfectly justified in taking the course which they adopted. I hope, nevertheless, the time may come when it will be found possible to reduce some at least of those duties to their former state. The increase of the duty raised upon opium is from 400 to 500 rupees per chest in Bombay, and I do not, I confess, think there is any objection to our getting a *maximum* duty upon opium, if in doing so we do not diminish the production of the article. Including these two items of increase,—and they are the only duties of whose increase I am aware,—I estimate the product of the revenue of India for this year at £35,850,000; which sum, deducted from the anticipated expenditure, leaves a deficiency of £10,250,000. I am, however, afraid that I must ask for a further sum beyond that amount. In consequence of what has taken place in India we have been unable to push on railway works as fast as we could desire and as fast as we should be justified in doing by the amount of capital which has been received in this country. The estimated expenditure for railroads for the next year in India is about £8,000,000, while the amount which will be raised in this country is about £6,000,000. I have stated already that the balances have been reduced upwards of £1,000,000. The fact is, that having the railroad money in hand we were able to reduce them by a larger amount than would otherwise have been prudent. In order, therefore, to provide for the additional expenditure which we must incur beyond the sum which we shall receive for railways in the course of the year we must ask for a further sum of rather more than £2,000,000 to make up our balance to the sum which we ought to have in hand, thus raising the deficiency for the year to a sum of £12,500,000. [Mr. BRIGHT: £12,250,000.] Twelve millions and a half is the sum for which I propose to ask the House. Then comes the question how is provision to be made for raising that sum. From the accounts to which I have already referred, page 34, I find that the Indian Government expects to receive a sum of £300,000 from the old 5 per cent loan. Of that amount the last accounts inform me they have already received £276,000. The great probability, therefore, is that they will receive the entire sum. They then estimated the receipts on the $5\frac{1}{2}$ per cent loan and Treasury bills at £5,600,000. I regret, however, to be obliged to say that I do not think, having made the best calculation in my power, they will receive anything approaching that amount. They have received in the course of the month of May altogether about £125,000. I trust, therefore, that they will receive at least twelve times as much in the course of the twelve months. Last year they received in the course of the month, subsequent to May payments, considerably exceeding those which they obtained in that month. Under those circumstances, I estimate that they may expect to receive from £1,500,000 to £1,700,000 in the course of the year. Adding that amount to the £300,000, to which I have already alluded, I have calculated the probable receipts from India for the twelve months commencing in April last at £2,000,000, instead of £5,600,000. The accounts which reached me to-day are not very encouraging on this point, but it may be that when they find in India we are disposed to assist them—as I trust the House will enable me to do—confidence may be restored; and my estimate of a receipt from India of £2,000,000 justified. The noble Lord opposite took power to issue seven millions of debentures this year. Of those, five millions have been issued which have produced in cash, in round figures, £4,800,000, which sum, added to the £2,000,000 I hope to receive in India, will make altogether £6,800,000. That amount being deducted from the £12,500,000 which I stated to be the amount of the deficiency, will leave £5,700,000 for which provision must be made. Now, of course, it is impossible for me to say what amount of cash I shall receive from the debentures which are unissued. The £100 debentures of the noble Lord brought £95 in cash, and I trust the money market will be disposed to come forward liberally and support the Indian market in this case. But, however that may be, I clearly must take some margin, and after the accounts which I received to-day I am afraid it must be a considerable one, in order to render myself secure of obtaining the money which I want. I estimate that it is necessary to have a margin above £5,700,000 and I propose, therefore, to issue the two millions of debentures which the noble Lord opposite left unissued, and to take power to borrow five millions more, making in all seven millions, which I think it will be necessary to provide to meet the probable demands from India for the current year. If, as I anticipate, I should by means of this loan be enabled to meet the expenditure of the year, I calculate that at its close—that is to say, in April, 1860—the Indian debt would amount to £95,836,000, and the interest of the debt to nearly £3,900,000. I should be glad that I could now bring to a close all that I have to state to the House; but I think it will be only fair to those who may be called upon to lend their money on Indian securities that I should, as far as I am able, without entering into minutiæ, state what are the prospects of the ensuing year. It will be unnecessary to provide any sum for compensation for the mutiny in the course of next year, but, upon the other hand, it will be necessary to add to the expenditure the interest of the debt incurred in the present year, and so far as I can judge the increased charge for interest will amount to £600,000. There will be an addition to the interest on railroad capital of about £200,000. I do not therefore think, judging from the expenditure of the past, that I can put the expenditure of next year at less than £46,000,000. We should therefore start in 1861 with a charge nearly as high as that which we have to bear in the present instance. Taking the revenue in like manner without any additional taxation, and allowing something for the greater amount of opium which would pay duty, I will put the income at £36,000,000, which would leave a deficit to start with of £10,000,000. This sum will of course be reduced by any reduction made in expenditure on the one hand, and upon the other by any increase that may be effected in the revenue. There will, however, be on the 30th of April a deficiency of £10,000,000 in round numbers. It is needless to say that it is indispensable that the income and expenditure should be more nearly balanced. The first question which presents itself is, How is that object to be effected? The answer is a simple one. By a considerable reduction of expenditure, and, as I hope, by some increase of income. Now, with respect to the making a reduction, I can only say that something must depend on the state of India. The reduction of this year would be larger but for the discontent which exhibited itself among the local troops, which could not be foreseen, and which rendered it necessary that some of the Queen's regiments should be detained in India when they might otherwise have come home, and thus relieve the Indian Government from the expense of their maintenance. In any estimate which I may make this evening the House must therefore bear in mind that I am proceeding on the supposition that no unforeseen events will occur to disturb the tranquillity of India, and that no demand will be made on us for expenditure beyond that which is requisite in ordinary and peaceful times. If any thing should occur to disturb the state of peace, no calculation can be depended on. The first item in which expenditure may be reduced is the civil establishments of India. I think I should deceive the House if I told them that, in my opinion, any considerable reduction could be made under that head. The noble Lord said the same thing early in the Session. I concurred with him at that time, and although in particular places, or particular offices, some reduction may take place, I believe that it cannot be more than will be sufficient to meet the additional demand for the superintendence of European officers which the best interests of India require. I do not think it would be just or fair to reduce the amount of the salaries of persons who, in nine cases out of ten, are not receiving now any overpayment for the services rendered. Some reduction may be made on new appointments to offices, but the demand for the employment of additional Europeans will be to such an extent that we should be proceeding without reason if we supposed that any reductions in the civil establishment would make any material impression on the expenditure. I was reading the other day an amusing book, which, as it was not written by an Englishman, is therefore more impartial testimony, and in it the writer states in very strong terms the evil of a want of European superintendence. He says, "The only possible remedy is in the great increase of European officials. It is not too much to say that it requires 100 men to perform the work now assigned to a single magistrate." Making a large allowance for that estimate, I believe myself that if you are to introduce an improved system of administration, additional European superintendence is absolutely required, and therefore I do not think it possible materially to reduce the civil expenditure of India. The next item of any large amount is the public works of India. There is no expenditure which I should be so sorry to reduce as that. At the same time I believe that some saving may be made without, in the slightest degree, impairing the value of the works. This, however, is not a source from which any large reduction could be obtained, although I believe that without stopping works of great public utility, some reduction of expenditure may be made. I also think some saving may be made in the home expenditure, and in the articles furnished from this country to India. But after all, every one is aware that the great item in which reduction can be made, is that of military expenditure. The amount of troops in India before the mutiny was of Europeans, including the officers of Native regiments, 45,522; of Natives, 249,153, making together 294,675. The amount of troops at this moment in India is, of Europeans, 110,320; of Natives, 207,765; making together 318,085, to which must be added police militarily organized, 89,829, giving a total of 407,914. We also have in England depôts of regiments of the line in India 21,700, and depôts of local corps about 2,000, so that, including the force in India, the force on Indian pay at home, and the military police in India, the total force at the present moment is 431,600. I do not know that it is very unnatural, considering the state of alarm which prevailed in India, that the Government should have raised levies in every part of India, and those levies swell the number. But the danger having passed away, I do not see any reason why those levies should be kept up any longer. A reduction has been effected to a certain extent, and orders have been given for further reduction. But the Governor General has stated it to be impossible, in his opinion, to reduce the expenditure in the course of this year more than to the extent of £2,000,000, whether by sending regiments home, or by a reduction of the Native force. I think every hon. Gentleman present must agree that it is perfectly indispensable to maintain a larger European force in India than we have hitherto done. No doubt the paucity of Europeans in India gave encouragement to the mutineers, and Sir John Lawrence has told me that the Native chiefs told him such was the case. I think it is also clear, from the opinion of Sir John Lawrence—and no one's opinions are entitled to greater weight than his—that the mutiny may be considered almost exclusively a military mutiny. He states, in a despatch which was referred to the other night—

> "The mutiny had its origin in the army itself; that it is not attributable to any external or any antecedent conspiracy whatever, although it was afterwards taken advantage of by disaffected persons to compass their own ends, and that its proximate cause was the cartridge affair and nothing else."

I think it is a very satisfactory thing that the Native population generally took no part in the mutiny. The exception, of course, is in the province of Oude and its neighbourhood, from which the Sepoys were principally drawn, and whose families could not but have had considerable sympathy with their brothers and sons who originated it. But, with the exception of Oude and the neighbouring districts, the Native population took no part in the mutinous proceedings; on the contrary, they, in many instances, showed most kind consideration for Europeans, whom they sheltered, concealed, and protected. Sir John Lawrence goes on to say that he believes the "mutiny arose from their belief that a systematic attempt was about to be made on their ceremonial religion, and seeing the force of Europeans, from a sense of overwhelming power, acting upon men exasperated by a fancied wrong." I am inclined to believe, from all we have heard, that that is a just and true account, as near as we can form an opinion, as to the cause of the mutiny, and from this we learn two things. We learn first of all that we must be very careful not to give to the Natives of India any reason to believe that we are about to attack the religious feelings and prejudices which they hold so dear. No doubt in the recent case there was no just cause for suspicion; but they entertained that belief. We have seen the consequences, and if we hope to retain India in peace and tranquillity we must take care so to govern it as not only to consult the interests, but the feelings of the Native population. If we have a contented population we shall require less force, and then we shall be able to do that, which we learn, in the second place—namely, not to maintain so large a Native force in India as we have done. Wherever there was no Native force, there no disturbance arose; but almost in every place where a Native force was stationed, there disaffection, if not mutiny, appeared. Well. then, if we can reduce the army, we can reduce our expenditure, and consequently may be able to reduce taxation. But we must keep up a larger European army in India than we have done; and we cannot entirely dispense with some Native force. There are many places at which European troops cannot be stationed without great loss of life; and even where Europeans are stationed, there are many duties unsuited to men from this country; for these duties we must have Natives of India. To what extent a reduction of the army can be carried, it is not easy from hence to say. In India a much better opinion on that point can be formed than in England. Various estimates have been furnished me of the force that will be required, but I cannot say that we are as yet in a condition to determine the question. I will read to the House an extract from a paper written by Sir H. Frere, the Commissioner of Scinde, which seems to convey in clear language the principles on which in my opinion we should proceed to make this reduction of the army. The question asked was as to the number of the military force that should be kept up in India, and this is the answer:—

> "It seems to me principally, if not wholly, a question of finance. Our income is limited and capable of little rapid extension; large portions of it are very precarious. We cannot long go on borrowing. It is necessary to our existence that we should bring our expenses, of which the military charges are the heaviest portion, within our income. Even in a military point of view the value of a surplus income, good credit, and a contented Native population, which needs no large force to keep it from rising, is greater to us in India than that of a powerful and well prepared army. Give us the former and time, and we must, with our naval superiority and vast mechanical resources, always be a fair match for any enemy, whether internal or external, that can assail us. But if we have a deficient income, low credit, and discontented classes among our own subjects, the largest and best appointed army will only precipitate our downfall. Time will then befriend our enemies, who will have only to force us to keep our army up to a war standard in time of peace, in order to insure our ultimately ruining ourselves by costly victories. This is not the place to dwell on the political and social questions affecting the feeling of our subjects towards our Government, further than to note that no army we could possibly maintain, if our own pecuniary resources were double what they are, could enable us long to hold the country if any large classes once become convinced that there are other Governments possible which would be preferable to ours, and to introduce which it is worth their while to make some present sacrifice. Hence it is necessary, in answering the present question, always to bear in mind that we must bring our expenses within our income, and that the vital question is not, what do we want to insure our perfect safety, but what can we afford to spend for defence, and how can we lay it out to the best advantage?"

This extract shows the true principles on which we must proceed in reducing our army, and the true sources of our strength in India; we must avoid a system that creates a discontented population, and forces us to make perpetual loans. It is just to the noble Lord (Lord Stanley) to say that he has enforced these principles in his military despatch to the Governor General, dated the 7th of April last. He says—

> "I have now to request your earnest attention to the object of relieving the drain upon your resources by avoiding all expenditure which is either not absolutely necessary, or which can be postponed without serious detriment to the public service. It appears that until our finances are

placed upon a sound basis we are not at liberty to consider what expenditure is desirable or likely to be beneficial, but what is essential and within our means to allow. Now that hostilities on a large scale have terminated, a considerable reduction of commands, whether of divisions, brigades, or stations, with the staff attached thereto, must obviously be practicable. It is obvious that the finance of India cannot be placed on a satisfactory footing without a very large reduction of the military forces, Native as well as European, maintained at a cost which cannot be estimated at less than twenty millions per annum. It appears from the annexed statement that the comparative strength of the Native armies, inclusive of police and other levies, exceeds by at least 50,000 men the forces which were maintained before the mutiny. The paramount necessity for an early and considerable reduction of military expenditure will not be lost sight of in this country. I shall not fail to use my best exertions to reduce to the utmost limits the home charges on account of Her Majesty's forces in India."

It was intended early in the year to send home ten regiments from India, but in consequence of recent events part of that force has been detained in India. However, I believe that seven regiments have actually left, and are on their way home, I have said that the Indian expenditure before the mutiny was £12,000,000; it is now £21,000,000—an increase of £9,000,000 on which reductions may be effected. I cannot say we shall be able to reduce the military expenditure so low as it was before the mutiny, yet there is a large margin on which reduction may be possible, now that military operations have ceased, and the expense of marching and transporting troops has come to a close. All I can say is, that the most rigid care shall be taken to effect a reduction of our Indian expenditure as rapidly as it can be done consistently with the safety of that country. With regard to the revenue, authority has been sent to the Indian Government to raise the salt duty in Madras, in Bombay, and the North-eastern provinces. The estimated produce of that duty is £300,000. The Indian Government has also expressed its intention of considering the possibility of imposing some other duties; these are a stamp duty, the payment for a licence by traders, and, if possible, a succession duty. No account has been received from India of the precise measures which the Government intends to take with regard to these duties, nor can I form any estimate of what amount of revenue they will probably produce, but certainly several hundred thousand pounds ought to be raised by them altogether. But when we have done all we think it is possible to do for the reduction of the expenditure and the increase of the revenue it will still leave a considerable deficiency, which will have to be provided for by loan. It may be four or five millions, or it may amount to six millions—I hope it will not exceed this last sum—which will have to be provided for next year by loan. Altogether, I fear we cannot anticipate the closing of the account of the mutiny before the debt of India is raised to upwards of £100,000,000. In that debt a considerable reduction might be effected if this country would associate itself with the finances of India. Circumstances may arise when the propriety of doing so will become a serious question. The noble Lord (Lord Stanley) saw the probability of it. No one has expressed a stronger opinion against it than myself; but when the House looks at the circumstances of the case it must not shut its eyes to the possibility of a state of things arising in which we may have to entertain the proposal. If we bring our expenditure within our income, as I hope we shall within the next two or three years, all will then go well; but if any circumstances arise, and they may arise as unexpectedly as the recent mutiny, which add to our expenditure, the matter will then become very serious indeed. In order, however, to put the finances of India on a sound footing it is necessary to take some steps for the purpose of putting them under proper superintendence. The organization of the financial part of the Indian Government, in my opinion, has always been very unsound. In this country the Chancellor of the Exchequer, who has to meet the expenditure, has also to provide the Ways and Means, but in India the department which provides the money has no connection with the department which spends it. A mode of administration more likely to lead to carelessness and extravagance one cannot well conceive, and it will, I am convinced, be most advantageous for India if some person is sent from this country well versed in our financial system, acquainted with our mode of keeping accounts, and of raising and checking the expenditure of money, to take charge of the financial department in that country, and it is the intention therefore of Her Majesty's Government to send out to India some person in whom they may have confidence with that view. I am not now imputing blame to any officials in India, who may have had to do with the financial departments; it is the system which is to blame. If this be done, if we can meet the pressure of the next two or three years, I have little fear for the Indian finances. It is a remarkable thing that, spite of recent circumstances, the revenue has continued to improve. In 1856-7, the year before the mutiny, the revenue produced £31,700,000. In the year 1857-8, the year in which the mutiny broke out, the revenue in round numbers was about the same—£31,700,000. In 1858-9 it was £33,800,000, being an increase of nearly £2,000,000; and the estimate for 1859-60 is £35,850,000, being an increase of £4,000,000 including £1,000,000 from additional taxation, since the year before the mutiny. It is to be remarked, too, that this increase has arisen simply from improvements in the revenue, and not from accessions of territory. In the ten years before the mutiny there was an increase of revenue, mainly caused by accessions to territory, which did not meet, however, the increased charges; but this increase is owing entirely to improvements in the revenue. The accounts of the trade of India are also very satisfactory. My hon. Friend the Member for Birmingham will be glad to hear that the export of cotton from India is on the increase. The average of the five years ending 1852-3 was 116,000,000lb; for the five years ending 1858-9, the average was 175,000,000 lb.; and it is curious enough that the cotton goods sent to India in the last six months was equal to the value of the whole exports to that country in 1856. We need not, therefore, despair for the future of India. A large portion of the country has been entirely untouched by the late calamities, even in the districts where the mutiny raged, it generally passed lightly over the Native population, trade is improving, the sources of material prosperity are on the increase, and if we have not a recurrence of such events as those which we have recently had to deplore, I see no reason why India should not again be flourishing and prosperous. It has great natural resources, labour is cheap, the cultivators are skilful and industrious, English capital is going there, and I sincerely hope that we may, under the blessing of Providence, very soon see the Natives of India, a happy, prosperous, and improving people. The exact sum which I am about to ask power to borrow for the service of the Government of India is £5,000,000. That I believe, will enable us to meet all the demands of the present year—as to what may be wanted—for the future I must wait until the time comes. For one or two years, as I have pointed out, there may be demands on the money market, but after that I hope that the income will meet the expenditure. I ought to say that I do not require this sum of £5,000,000 all at once. How much I shall want, will of course depend, to a certain extent, on the receipts of the Indian exchequer. I certainly shall not require it all until the end of April, but I think it would be unwise of me if I did not take at once sufficient to carry me through the year.

Mr. CRAWFORD said, he could not help expressing his concurrence to a certain extent with the sanguine view which the right hon. Gentleman (Sir Charles Wood) had taken of India prospectively, but he thought that in his statement he had overlooked one important feature, namely, that there were at present about £7,000,000 of India bonds in existence, the owners of which had the option of being redeemed by giving a year's notice. There had also been placed upon the market within the last year about £13,000,000 of debentures, which would come in course of payment in the years 1863 and 1864. So that, on the whole, a sum of about £20,000,000 of debt would have to be provided for in the course of the next four or five years. He could hardly, therefore, concur altogether with the expression of satisfaction with which the right hon. Gentleman had concluded his speech. He would also like to have heard in what manner the right hon. Gentleman proposed to raise the £5,000,000 which were now asked for. It was to be hoped the mode intended to be adopted was not by way of debentures, an expedient which many practical authorities on that question were convinced would prove a failure. The debenture market, as far as India was concerned, was overdone. The public did not regard debentures favourably enough as a means of investment to enable the right hon. Gentleman to depend upon such a source. A great many of the principal holders of money were absent from the tenders for the last Indian loan, a great portion of which was taken up by the gentlemen of the Stock Exchange and private gentlemen; but they were bitten on that occasion, and were not likely to come forward again. With regard to the increase of the customs duties in India, he was perfectly prepared to admit that there was no more legitimate mode of raising resources in times of difficulty than by such an increase, if it were not carried to such a point as to interfere with the consumption of the commodities on which they were raised. He did not think, speaking generally, that the trade of India had been hitherto subject to anything like an inordinate rate of customs duty, and he thought no particular disadvantage would result from the direction the increase was proposed to take. But great exception had been taken, and he thought justly, to the mode in which the increase had been effected. The authorities in India had no doubt followed the course pursued in England, and had made the increase take effect from the date of the Resolution passed in Committee; but the public mind in India was not accustomed to so rapid a change of circumstances. Considerable difficulty had consequently been caused. In Bombay, for instance, it was the practice of merchants to contract to deliver large quantities of goods at certain prices. The effect of the sudden alteration was, that all goods that had not passed the Custom House were subject to the rise. The Bombay people declined to pay, took legal opinions, and were advised they were not liable. A suit was threatened to enforce payment, and if the suit had been instituted and carried to the Privy Council all trade at Bombay would have been suspended until its final decision. Such was the disposition of the Natives; they declared they would not transact any more business until the question was settled; and it resulted in the merchant, the buyer of the goods, paying the excess of duty out of his own pocket. He knew another instance where a gentleman had had to pay as much as £6,000 out of his own pocket additional duty on goods for which he had contracted before the duty was raised. He mentioned these circumstances to show how necessary it was, especially during times of confusion like the present, to consult, as far as possible, in India the Native mind and feeling, and not to introduce habits and ways of thinking to which they were unaccustomed, for the Native mind became unsettled, suspicious, and felt no confidence in the actions or intentions of the Government. Indeed, many of the difficulties we had had to contend with in India were produced by the ever-shifting and almost dodging policy of the Government in its endeavours to raise money. He observed also that the local Government had been authorized in one of the despatches to increase the export duties. Export duties he considered economically wrong, unless goods to which they were applied were a monopoly in the country in which they were manufactured or grown. Such exceptions to this rule might be found in the opium of India, the guano of Peru, and the tallow of Russia. But such articles as hemp and rape seed, and numerous other seeds which had entered to an enormous extent into the export trade of India, were the products of other countries as well; and therefore to whatever extent you increased the export duty upon them to that extent you placed the dealers in those commodities at a disadvantage as compared with the dealers of other countries. An export duty would eventually operate as a tax upon land by adding to the charges of sending the produce of the land to the foreign market, and as the land in India was the chief source of revenue, it followed that an export duty was one of the worst expedients that could be resorted to for the purpose of adding permanently to the resources of the State. The right hon. Gentleman had referred to the railways, and appeared to be looking forward to the time when the railways would no longer be a burden to the State. It might be satisfactory to the House to know that in the case of one of the most important of the India railways, with which he (Mr. Crawford) was connected, and which was now in course of construction, they were taking upon the 143 miles already opened from Calcutta to the coal districts, and to the north-west, £34 per mile per week; and as the traffic was carried at about 45 per cent working expenses, it followed that the net earnings were from £18 to £19 a mile per week. The cost of this line was not more than £12,000 a mile, so that the net annual return was considerably more than the guaranteed interest, and, in point of fact, the railway had repaid to the Government already about £250,000 against the advances made on account of the guaranteed interest. In the case of the Great Indian Peninsula line, on the other side of India, they were taking £18 a mile, the cost of carrying on the traffic being about the same. It would be seen by going into the figures, that that also was earning sufficient to repay the guarantee. The line also from Allahabad to Cawnpore, which was 126 miles long, was opened last March, and upon that the earnings were in the gross about £18 or £19 a mile. Therefore, it might be taken almost as a certainty that as those railways were opened up, the amount of revenue received from them would greatly exceed the guaranteed interest, and that the railways would not form any permanent charge upon the Government. It was true that the Government of this country had found it necessary to pay large sums of money to the proprietors of those railways during the progress of construction, but that money had been paid not out of the funds of India, but out of the funds of the shareholders themselves. The power having been given to pay up the calls to a great extent, they had done so. They had paid the money in advance to the Indian Government in this country, and those payments had largely exceeded the amount returned in the shape of the guaranteed interest; so that thus far the guarantee had not operated as a tax upon the Indian finances. In a paper issued last week, giving a statement of the public debt of India, he found included amongst the creditors of India his Majesty the King of Oude, for a sum in the whole amounting to £1,770,000, in three several sums, bearing interest at the rate of 6, 5, and 4 per cent respectively. He wished to know whether these sums represented a debt due by India to the state of Oude, and if so, whether the right hon. Gentleman (Sir Charles Wood) would have any objection to state what course the Government intended to take in respect to it—whether it was intended to "write the money" off, as it was termed in commercial phrase, or still to regard it as a debt? It was with great satisfaction that he heard the announcement that it was intended to send out some gentleman of large financial experience to take charge of the financial administration of India, a course which he had himself suggested last Session, and from which he anticipated great advantage. He thought the time had arrived when some improvement in the banking affairs of India might be introduced. By banking on a large scale, as in this country, he believed that a great improvement might be effected in the mode of carrying on the public service.

Lord STANLEY: Sir, I agree in part of what has fallen from the right hon. Gentleman, and even if I differed from some of his opinions to a greater extent than I do, still I should feel that as he must be bound to some extent by the course of those who preceded him in office under circumstances of a very unusual description, he is entitled not merely to forbearance from opposition, but to the cordial aid of this House; and that aid, I may venture to answer for those who sit on this side, will be freely and frankly given. It is hardly possible to conceive a situation of greater difficulty or responsibility than that which is occupied by whoever is at the present time Minister for India. The India of 1859 is totally different from the India of three or four years ago. No doubt external peace has been restored; but there is, I am afraid, an amount of animosity, distrust, and ill-feeling in India which will take a considerable time to eradicate. The military reputation of England has been retrieved; but it will be impossible for the Natives of India to forget that our power was during many months seriously shaken, and that it was so shaken although a considerable proportion of those who had the greatest power and influence in the country not only held aloof from the movement of the Native army, but cordially supported us. The financial difficulty has been clearly stated by the right hon. Baronet, and, so far from there being any tendency in this country to underrate its magnitude, we are now, whatever may have been the case twelve months ago, rather in danger of running into the opposite extreme, and of considering it as more permanently formidable than it really is. All the sources of difficulty which I have mentioned are in great degree temporary in their character, but while they last they are undoubtedly the most serious obstacles that a Minister can have to encounter. The question of Indian finance may be either a very wide or a very narrow one, according to the manner in which it is considered. There is no subject connected with the government of the country that does not somewhere or another touch upon the question of finance, and therefore, if we were to go into all the topics that might be dealt with in considering the proposed loan I scarcely know within what limits it would be possible to confine the debate of this evening. I cannot, however, avoid mentioning one or two matters which are not strictly in connection with the propositions of the right hon. Gentleman; but at the same time I shall endeavour as closely as I can to keep to the subject actually before us. In the present state of things it is clear that a deficit like that which exists at the present moment can be diminished only by one of three modes. Either taxation must be increased or some measures must be taken to obtain relief beyond the limits of India, or else there must be a reduction either in the civil or military expenditure. The right hon. Baronet has not held out much hope of an augmented revenue from an increase of taxation beyond that already sanctioned, or now under consideration, and I am glad that he has not done so. The measures actually taken by the Government at Calcutta for increasing the taxation of India were determined upon independent of, though coincident with, those sanctioned by the Government at home. I believe, indeed, that the two schemes crossed each other on the road. The Government at Calcutta proposed a larger amount of increase than that which was recommended from this country. I am far from saying that they were wrong in doing so; in fact, on the part of the Government at home, I at once acquiesced in the course they took; but I mentioned the circumstance to show that the view of the Government in this country was not favourable to a larger increase of taxation than that actually adopted. A considerably larger sum will be realized from the scheme of the authorities in India than that which would have been received if the recommendations of the Government at home had been carried into effect; but, when those sources of revenue have been exhausted, I am not very sanguine that more can be obtained in other modes from the people. Certainly, at all events, a great majority of the schemes of new taxation which have been put forth both here and in India have been more calculated to be dangerous than productive. The proposed tobacco tax, for example, would be a tax upon the poorest class of the people, depriving them of one of the few luxuries which they enjoy, and from its nature it would be singularly liable to evasion, unless the collection were enforced by means of a Government monopoly, which would be objectionable in every respect. The plan of a succession tax seems at first sight more feasible, but we must remember that in India such a tax would assume a very different character from that which it bears in this country. I speak with some hesitation and doubt, but I do not believe that you would find it easy to impose anything in the nature of a succession-duty upon property other than landed property. To attempt to ascertain the amount of capital possessed by a Native merchant or banker would only be to incur disappointment and failure; your tax would be evaded with the greatest possible facility, and would prove unproductive unless the collection was conducted on a system so inquisitorial as would not long be tolerated even among the patient people of India. Even with respect to landed property many difficulties present themselves, for it should be remembered that in India, where the Government is the owner of large portions of the land, and where the cultivators of the soil stand in the relation of tenants, the Government is already receiving in one shape or another as much as the land can yield without making its cultivation unprofitable. Any attempt, therefore, to tax a man who succeeded to the occupation of lands which he held subject to large payments to the Government would simply be taking out of one pocket what you are putting into another. So with respect to the proposal to impose licences upon certain trades. That is a proposition not free from objection in principle, and, if an attempt were made to put it in force, its effects would require to be very closely and carefully watched. Upon the whole, looking to the present amount of your taxation in India, and the considerable increase now being made in the various branches of revenue, I do not think we can expect much more from that source. Then comes the question which we have mainly to consider this evening—whether it is necessary or possible to afford any relief to the finances of India from any quarter beyond India itself. Some discussion took place at the beginning of last Session as to the possibility of an Imperial guarantee for Indian loans. The arguments for and against a retrospective guarantee—that is to say, a guarantee upon debt already contracted—are capable of being summed up in few words. It is argued in favour of such a measure, that in the event of the Indian Empire being lost, the pressure which its creditors would bring to bear upon the Imperial Government would be such as no Government could resist; that if the Indian Government were able to borrow at an English rate of interest upwards of £1,000,000 per annum would be saved; and, finally, that a guarantee would not entail upon the Imperial Government any actual outlay, nor would the amount, large as it might be, be sufficient materially to lower the credit of England in the market. It is contended, on the other hand, that the contingent obligation to which you would render yourselves in a certain event liable would be greater than any Government ought to take upon itself without absolute necessity; that it would be wrong to remove from the Indian Government that liability to financial difficulty and distress which is one of the best securities against rashness and improvidence; and that — to this argument I attach more weight than to the two others—you cannot afford the benefit of a guarantee without creating a feeling of apprehension on the part of the holders of your existing debt. It is well known that the reduction of interest a few years ago, however reasonable and proper according to English ideas, created among the Natives a greater feeling of uncertainty and unwillingness to trust the Government than any other step which we have taken; and I am afraid that an Imperial guarantee, naturally followed by a reduction of interest, would produce the same discontent only upon a larger scale. I am not surprised, therefore, that the right hon. Gentleman does not ask Parliament to take upon itself retrospectively the whole or any part of the Indian debt; but I confess I do entertain some doubt whether, looking only to the circumstances of the moment, and to the loan which it is now proposed to raise, the same determination that India shall rely wholly upon Indian resources is applicable to its present condition. I think it may be fairly argued whether, under present circumstances, India is not entitled to look for aid in some way or other to the Government of this country. I have heard it stated in this House, and upon high authority, that financially we have gained nothing by the possession of India; that all we have got by it is the power of trading there, which we should equally possess if it were an independent country. But in examining the financial relations of the two countries, it is impossible to overlook the fact that for half a century past an immense number of Englishmen have been employed and supported out of the revenues of India; that those who go there are for the most part persons without fortune; and that they return, not all with great wealth, but still with a competence derived from Indian resources. I believe the amount of contribution, not to public, but to private necessities, from the people of India to the people of England cannot be taken at less than from £5,000,000 to £6,000,000 sterling. Now, that is a sum which, in striking a balance between England and India, we cannot fairly leave out of sight. But I do not think you can argue this as altogether a question of right or policy. I am afraid—and this is one of the very few points upon which I differ from the statement of the right hon. Gentleman—that something in the nature of Imperial assistance will become before long a matter of absolute necessity. I confess I am inclined to doubt—and on this point I am supported by the authority of an hon. Gentleman who is far more intimately acquainted with this matter than I can pretend to be—whether it will be possible to throw so large an amount of debentures upon the market (if that be the course adopted) without considerably decreasing their value, and I believe it is well known that if the value of the security falls below a certain point, you not only have to give higher terms, but it will not be saleable upon any terms. Well, then, I think it ought to be considered whether the operation which the right hon. Gentleman proposes will not seriously affect the progress of those public works upon which he justly lays so great a stress. We must remember that it is not only the Government of India which wants money, but I think I understood him to say that something like £6,000,000 would be required by the various public companies connected with India. They will go into the market equally upon the credit of the Indian Government, so that in point of fact there will be required not £5,000,000, but £11,000,000, which the Government and the companies will be borrowing together. I think, therefore, the question may arise—not merely as a matter of policy or of right, but as a matter of sheer necessity consequent on failure of credit—whether the assistance of the Imperial Government should not be given, not retrospectively, but to satisfy present exigencies, and to cease when those exigencies cease. If, however, no proposition of that kind is entertained by the Committee, then, I think, another question arises, which may be taken in either of two ways as between the finances of India and England. Parliament will have to consider on what ground it can justify, at a time of difficulty like the present, the distinction which has always existed, and for which I have never known a reason assigned, between the military expenditure of the Colonies and the military expenditure of India. It would be madness to contend that the same rule should be applied to the two cases. That would be wholly out of the question; but I think that both the Indian and the colonial system of military expenditure might mutually borrow something with advantage. Take, for instance, the case of a large colony like the Cape, where the finances are flourishing, and the population prosperous, but where an enormous military expenditure is borne by this country. I have never been able to understand why the British Government does not reduce its military expenditure on account of such colonies as these, giving to their Governments the option of defraying part of the charges of the Imperial troops stationed there, or of establishing a local militia. Of course I know that you are bound by many old engagements, and that if any change is made it must be a gradual one. But the fact remains, that in the case of the Colonies we take too much of the military expenditure upon ourselves, while in the case of India we go into what I think is the opposite extreme, by absolutely refusing to hold ourselves liable for any portion of the military expenditure there. Now, I think that, not relying on one single instance, but taking the whole course of our colonial Government in this respect, and comparing the two systems, it would not be difficult to prove that, unless the force in the Colonies is altogether lavish and disproportionate to their wants, India has in point of justice some claim—to what extent I am not at present prepared to say—to Imperial assistance in bearing its military charges. If this view be not adopted, there is another which deserves consideration. I think it will be found if we look into the history of the military charges imposed upon India, and of the wars carried on by the Indian Government, that some of these—and those the most expensive—have been distinctly undertaken from English and Imperial as distinguished from local policy. Take, for instance, the Affghan war. It can be proved that England, considered apart from her connection with India, had an interest in that war. It was an English war, carried on from motives of European policy, and yet I believe every shilling of the expenditure has been defrayed by the Indian Exchequer. Now, I mention these circumstances because if the Indian Government is driven, as I believe it will be by necessity, to appeal to this country for financial aid, either in the form of a guarantee for a new loan or in any other way. I think it will be wise and just to remember that that appeal is not altogether a groundless one, that it is not an appeal *ad misericordiam*, arising merely from the necessities of the Indian Exchequer, but that it really has some foundation in reason and in justice. Well, then, let us next consider what it may be possible to accomplish in the reduction of Indian expenditure. We have been told of a deficit of £10,000,000, the expenditure in round numbers being £46,000,000, and the income only £36,000,000. With regard, first, to the cost of the civil service, I pass over the expenses of the home Government, for they are comparatively insignificant. The question was argued at great length, and was very recently settled by Parliament, and I do not apprehend that, for the sake of any slight saving of the salary of one or two members of the Council, it would be worth while for Government or for Parliament to interfere with that settlement. The principal value of the Home Council of India will, I think, be found to consist in the assistance which it will afford to the Indian Minister of the day in resisting claims and charges which there is always a tendency to throw unduly upon the Indian Exchequer. I am not speaking now of any particular time or Government; the controversy to which I refer has gone on ever since the Board of Control was established; but where there is a large amount of discretionary military expenditure with regard to which, at various times, questions may arise as to whether it should fall upon India or upon England—where there is a Chancellor of the Exchequer and a Government naturally bent on reducing English expenditure as far as they can in the Parliamentary Estimates—there will always be an inclination, an involuntary, an inevitable inclination, to throw upon India, especially in military matters, financial charges which belong properly to England. A body of men like the members of the Indian Council, who are independent of the Government and of the Treasury, will therefore be highly useful in resisting this pressure. With respect to the larger question of the civil administration in India itself, I can only say that in dealing with it there are in my opinion two distinct and separate points to be considered. The first is what course we ought to take with respect to that subject at the present; the second, what it may be in our power ultimately to carry into effect. Looking merely to the exigencies of this, or to those of the next two or three years, I concur with the right hon. Gentleman opposite in thinking that nothing worth speaking of can be done in the way of reduction in that direction. I say so because it is quite clear that, except in case of extraordinary emergency, you could hardly reduce existing salaries by any large amount, and it may be a question, if you did so, whether the saving thus effected would compensate the country for the discontent which such a proceeding would unquestionably create. With respect to the future, I can only say that I do not concur with what fell from the right hon. Gentleman—and it was almost the only sentence to which he gave expression which I heard with regret—as to the expediency of increasing the amount of Europeans employed in the civil service in India. The state of feeling which exists at the present moment—a state of feeling which is, perhaps, not the unnatural result of the distrust and jealousy which such a struggle as that which they have just gone through tends to engender between two distinct races—may be favourable to such a change. That feeling, however, will not, I feel assured be permanent in India, and I, for one, see no good reason for altering the opinion which met with such general concurrence in 1853, and which was favourable to our introducing ultimately larger and larger numbers of the Natives—especially the educated Natives—of India into the civil service. I do not, indeed, suppose that any one would propose to do away with the covenanted service. It may or it may not become, in the course of time, faulty as an institution; but it is at the present moment working well, and you cannot dispense with it. Without taking such a course, however, means may be adopted to remove that which in India forms the principal ground of objection to the service—namely, its entirely exclusive character. I am aware of the risk of favouritism and jobbing which may be incurred by a departure from the strictness of the existing rule; but I also know that nothing operates so much to discourage those who form the uncovenanted service of India, whether its members be European or Native, as the knowledge that there is a limit in the degrees of official rank beyond which they must not hope to pass. And when I had the honour of being in office, as Secretary of State for India, I intended to bring before the House—for I believe the object which I had in view could be accomplished only by means of an Act of Parliament—a measure by which I thought the present necessities of the case might be met. I should have proposed that it should be possible—notwithstanding former Acts limiting certain offices to the covenanted service—that the uncovenanted servants should be admitted to any or to all of those posts, but only after a certain number of years' service in the country, and upon the recommendation of the Governor General, and with the sanction of the Secretary of State. If you establish these three checks, aided as you would be by the individual jealousy of the covenanted service itself, which always looks with disfavour upon those who enter it from without, and would prevent the privilege from being abused, and if you proceed in the first instance gradually, admitting in rare instances those who deserved well in the lower branches of the service of India, be they Natives or Europeans, my opinion is that you would be enabled ultimately to effect, I will not say a very large, but a considerable saving in the general expenditure of that country. You would do more; you would give satisfaction to a large class of persons who now naturally look upon their position with feelings of discontent, and thus economise, though in a different way, to a greater extent than you suppose. There is also another measure with respect to the Indian Civil service on which I am anxious to say a few words, and which is, I believe, at present under consideration. I thought a saving—though certainly, perhaps, not a very considerable one—might be effected by dealing with the higher departments of the Indian service, and thus affording an indication of the intention of the Government to enforce economy in earnest. In speaking of the higher departments of the service I refer especially to the composition of the Governor General's Council in Calcutta. At present that council consists of four members, each of whom receives a salary of £8,000 per annum. They are, however, charged with the duties of no particular department, and simply revise and superintend, as it were, the whole administration, thus acting as a nominal—for it is only a nominal—check on the Governor General, while they write minutes home on all the subjects which come under their notice. Now it is, I admit, quite right that the Governor General, who has had in many instances no previous acquaintance with India, should on his arrival there be surrounded by competent and experienced advisers. I am nevertheless of opinion that you might have a Council equally efficient as the present, and yet effect a saving of expenditure to some extent, if, instead of employing councillors who discharge no executive functions, you would engage the services of those in that capacity who happened to be the actual heads of the principal departments. I of course did not mean these observations to refer to those who now occupy the position of members of the Council in India. I simply meant to suggest it as a proposal worthy of consideration, that, as in England we have a Cabinet—which is the consulting body—the individual Members of which have charge of separate departments, while they are collectively responsible for the conduct of affairs, so in India a similar system might be established. Something would be saved directly by the adoption of such a course; but I believe a still greater advantage might be gained indirectly, inasmuch as there would be less cause for complaint in the lower branches of the service, when it was found that reductions had commenced in the higher quarters. But however that may be, I am of opinion that in considering the balance of income and expenditure, it will be found that a large reduction in the present outlay in India must be on account of railways. About £20,000,000 capital—to speak in round numbers—have been paid up. The interest which the Indian Government has guaranteed, and which is paid, amounts to £1,000,000. From this expenditure there has been as yet very little return, inasmuch as there are only a few lines open, and there is in consequence hardly anything to be set off against the outlay. When, however, the main lines are once completed I feel confident that although a line here and there, which has been constructed for military purposes, may not pay—it will be found, setting off the good against the bad, that they will more than meet the amount which has been guaranteed. You may, therefore, look forward to a prospective reduction in this respect of £500,000 or £1,000,000. I cannot help thinking also, although the point is one on which I venture to give an opinion with some hesitation, that the sums we have paid in the shape of compensation for losses incurred will not be altogether without an offset in future years. The account is not, at all events, so unfavourable as it may appear to be, because, notwithstanding the large and liberal sums which have been given to our Native allies and to those who have suffered by the outbreak in different parts of India, something will be saved to the revenue from the forfeiture of pensions and estates. But, passing from that subject, I may be permitted to observe that the right hon. Gentleman stated only the simple and literal fact when he told us that the question of equalizing the balance of income and expenditure depended mainly upon the position in which we maintained our military force. The expense of the Indian army previous to the insurrection was £12,500,000. It has been since that period nearly doubled, and that circumstance alone would more than account for the total deficit of the last two or three years. Upon this score I entertain no sanguine anticipations, inasmuch as I think it will be impossible to return for some time to the old standard in the case of our military force in India. The right hon. Gentleman stated truly enough that previous to the mutiny between 45,000 and 46,000 troops were the *maximum* amount of the European force in India; the number of the Native army being then 250,000, while they have since increased enormously; the European force also being much greater than before. Now, with respect to the Native troops, I may say that if no reduction has been made before the present time in their number, it has been because the Government of India on the spot did not think it expedient that any such reduction should be made. The Indian authorities have, indeed, been pressed over and over again by the Home Government to make such reductions in the Native force as they thought could be made consistently with the safety of the empire. For my own part, I believe this may be done, and done soon, without giving rise to any discontent on the part of the men themselves, specially in the case of men such as those who come from the Punjab, and who were informed that their services would be required only for a particular emergency. Looking at the whole military question and with a lively recollection of the condition of Indian finance, I confess, though on this point I speak with hesitation and doubt, I do not see that it would in any case be safe or wise to reduce the European force hereafter to be retained in India below 60,000 or 65,000. I am not speaking of what would be advisable in a military point of view, but I do not think any Minister would take upon himself to reduce the European force below that number, and I am afraid that even this force would impose a very serious burden on the resources of India. With regard to the Native force, undoubtedly a much larger reduction might be made, and I think when the immediate exigency is over, this question of military police, on which an enormous outlay has taken place, ought to be looked into carefully and minutely. In every case this great force of military police was raised by the authorities on the spot with the view of meeting the emergencies of the moment, and not in consequence of directions from home. I do not say that it was a mistake, or could be avoided, but, of course, when the force was partially created and a good deal of money had been spent, we had no option except to sanction that expenditure. I know that many of the highest authorities in India doubt whether, with the exception of newly-acquired countries, any police force should be kept, on a purely military organization. There is the danger of such a force becoming neither one thing nor the other—not disciplined enough for a military force, and at the same time too regular a force for the ordinary duties of police. If I had to suggest the means by which the difficulties of this question of military organization could be diminished, I should say that in the first place it would be better for the Indian Government to confine their attention to the army of Bengal, and not attempt to introduce large changes into those of Madras and Bombay. I think also, that whatever other steps are taken, a large proportion of the European force maintained in India—probably not less than two-fifths—should be troops exclusively for Indian service. I say that on many grounds, partly because it is a great object to save the cost of transport to and fro, but mainly because I think that if you withdraw from the Governor General and the administration of India the assistance of many hundreds of able and intelligent young men who have gone out as officers, intending to pass their lives in India, and available for either civil or military duties, and if you replace them by men of equal intelligence and ability, yet not intending to remain beyond a few years, you weaken the Indian administration in a civil and military point of view to an extent hardly possible to calculate. I do not know that there are any other remarks which I feel it my duty to make at present. The subjects connected with Indian administration are almost without limit, and it is possible to go into them at much greater length; but I have endeavoured to dwell upon those which have a more immediate and practical reference to Indian finance.

Mr. BRIGHT: Sir, I have so often addressed the House upon the question of India that I feel some hesitation in asking a portion of the time of the Committee this evening. But notwithstanding an observation of the right hon. Gentleman the Secretary for India that he does not see anything gloomy in the future of India, I confess that to my view the question assumes yearly a greater magnitude, and I may say a greater peril. I think, therefore, that having given some attention to this subject in years past I may be permitted to bring my share, be its value more or less, to the great attempt which we are now making to confront this great evil. When we recollect how insufficient are the statements which he has from India, the right hon. Gentleman has given us as clear an account of the finances of India as it was possible for him to do, and looking at them in the most favourable point of view we come to this conclusion:—We have what we have had for twenty years, only more rapidly accumulating, deficit on deficit and debt on debt. The right hon. Gentleman told the Committee that when he left the Government of India, I think, in 1855, everything was in a most satisfactory condition. Well, it did happen in that year, perhaps by some of that kind of management which I have observed occasionally in Indian finance, that the deficit was brought down to a sum not exceeding £150,000. [Sir C. Wood: There was a surplus of £400,000.] The deficit, I believe, before the mutiny was £143,000. But, if the right hon. Gentleman will allow me to take the three years preceding the mutiny, I think that will give a much fairer idea of the real state of the case, and it is not the least use shutting our eyes to the real state of the case, because some day or other it will find us out, or we shall find out it. The real state of the case in the three years preceding the mutiny, 1855, 1856, and 1857, ending the 30th of April, is a deficit of £2,823,000, being an average not very far short of £1,000,000 a year. That is the state of things immediately after the right hon. Gentleman left office. I do not the least find fault with him. He did not make the deficit, but I merely state this to show that things were not in that favourable state at the moment which the right hon. Gentleman would induce the Committee to believe. Keeping our attention to that period, there is another point of view, also very important. It appears to me that any Government must be an excessively bad Government which cannot defray its expenses out of the taxes which it levies on its people. We know, and every one has for years known, that in India there is a source of revenue, not from taxes levied on the people, but from opium, very like the revenue derived by the Peruvian Government from guano. If we turn to those three years and see what relation the expenditure of the Government had to taxes levied on the people of India we shall find, though we may hear that the taxes are not so much as we imagine, or that the people are extremely poor, or that the Government is very extravagant—we shall find that the sum levied for the sale of opium and transit was no less than £10,500,000, and if we add that to the £2,800,000, we get a sum of £13,300,000 which is the exact sum which the Government of India cost in those three years over and above what was raised from the people by actual taxation. I say that it is a state of things which ought to cause alarm, because we know and we find it stated in the last despatches that the income derived from opium is of a precarious character and by the variation of climate in India, or by the variation of policy in the Chinese Government, that revenue may very suddenly either be very much impaired or be cut off altogether. The right hon. Gentleman brings us to the condition in which we are now, and it may be stated in the fewest possible words to be this,—that the debt of India has been constantly rising, in fact, as long as we have any recollection of the country, that it amounts now to £100,000,000 sterling. ["No, no!"] The right hon Gentleman said £95,000,000, but he said there would be £5,000,000 next year, and I will undertake to say that it is fair to argue on the basis that the debt of India at this moment is about £100,000,000, and there is a deficit of £12,000,000 this year, and there may be expected to be a deficit of £10,000,000 next. It is not to be wondered that it should be difficult to borrow money on Indian account. I am not surprised at the hon. Member for Kendal (Mr. Glyn) being so lively in the House to-night, and other hon. Gentlemen connected with the city, who, I understand, have been impressing on the Secretary of State the fact that money cannot be had in the city for the purpose for which he wants it. I do not wonder that it is difficult to raise money on Indian account. I should think it extraordinary if it could be borrowed without a high rate of interest, and that it can be borrowed at all can only arise from the fact that England, whatever disasters she gets into, generally contrives by the blood of her soldiers or by the taxation of somebody, to scramble through her difficulties, and to maintain before the world, though by enormous sacrifices, a character for good faith which is scarcely held by any other country in the world. With regard to the question of an Imperial guarantee, I take an opposite view from the noble Lord (Lord Stanley) on that particular point, though I agree with what he said as to certain expenses thrown on the Indian Government. Last year I referred to the enormous expense of the Affghan war — about £15,000,000—the whole of which ought to have been thrown on the taxation of the people of England, because it was a war commanded by the English Cabinet, for objects supposed to be English, but which, in my opinion, were of no advantage either to England or India. It was most unjust that this enormous burden should have been thrown upon the finances of the Indian Government. But I do not oppose an Imperial guarantee because I particularly sympathize with the English taxpayers in this matter. I think the English taxpayers have generally neglected all the affairs of India, and might be left to pay for it. But there was no justice in imposing on the unfortunate millions of India the burden of a policy with which they had nothing to do, and which could not bring any one of them a single handful of rice more — it did bring them rather less than more—than he would have eaten without it. But I object to an Imperial guarantee on this ground,—if we let the Service of India, after exhausting the resources of India, put its hands into the pockets of the English people, the people of England having no control over the Indian expenditure, it is impossible to say to what lengths of unimagined extravagance it would go; and in endeavouring to save India may we not go far towards ruining England? But look at this question of Indian finance from another point of view. The noble Lord (Lord Stanley) and the right hon. Gentleman the Secretary for India have both referred to the enormous amount of the whole taxation of India taken by the military service. I believe it has been shown that at this moment almost, if not altogether, the whole of the net revenue of India is being absorbed by the military service of that empire; that not a farthing is left out of the whole net revenue of India to pay the expenses of the civil government or the public creditor. If we leave out the opium duty, perhaps we shall see how far the military service bears on the taxation of India; we shall see that more than its net amount is absorbed by the military service. That is a state of things that has never existed in any other country or among any other people, for any considerable period, without bringing that country to anarchy and ruin. We have been told by the Governor General that the great bulk of the revenue of India is not elastic; that with regard to the land-tax there had been for a long period no increase in it; that, on the contrary, that large source of income had decreased. He tells us, further, that the army cannot, at present, be largely reduced with safety. If so, what is the end to which we must come? Either the Government of India must come to an end, or England itself must become tributary to India. Seeing that the Chancellor of the Exchequer has within the last fortnight asked £70,000,000 of the English taxpayer for the expenses of the English Government, to ask nine or ten millions more for the government of India would certainly cause great dissatisfaction in this country. The picture is, to my mind, an alarming one, notwithstanding the cheerful view taken of it by the Secretary for India; and it has filled many besides myself with dismay. Now, looking round for modes of escape from this position, I believe they exist, if we had the courage to adopt them. An hon. Friend has asked me, "Is there nobody to tell the House of Commons the truth on this matter?" I might ask why he has not done it himself. I suppose he is afraid of being thought rash; but his advice is, that the Government should re-establish the independence of the Punjab, recall the Ameers of Scinde, restore the Government of the King of Oude, giving to it the dependency of Nagpore. I confess, whether it be rash or not, that I think it would be wise to restore the Government of the Panjab and to give independence to that province which is called Scinde, because—I will not say because—but it is one reason, as from that part of the country no revenue is received in excess of the expense which its retention causes to this country, why we should endeavour to bring our dominions in India, within a reasonable and manageable compass. No policy can be more lunatic than the policy of annexation we have pursued of late years in India, and the calamity we are now meeting is the natural and inevitable consequence of the folly we have committed. It is not easy for great generals and statesmen who have been made earls and marquesses and had bronze statues put up in their honour in our public squares—it is not easy for the statesmen who have done all this to turn round and reverse it all; they have not the moral courage to do it; it might be an act of peril; it might appear a descent from the summit of empire and be wrongly construed throughout the world. But as a question of finance and good government we should, a few years hence, admit that it was a sound policy. But I will not pursue this subject, for I may fairly take it for granted that the House of Commons and the Government of England are not likely to take such a course till we are reduced to some extremity even greater than that which now meets us. But there is another course that may fairly be recommended. It is to take India as it is, the empire with all your annexations as it stands, and see if it is not possible to do something better with them than you have done before, and give it a chance in future years of redeeming not only the character of the Government but its financial and legislative position. The noble Lord (Lord Stanley) says there cannot be any great diminution in the expenditure for the civil service of India; but I do not in the least agree with the Secretary for India when he says that the gentlemen of the civil service in that country are not overpaid. Every one knows that they are overpaid; except some very large incomed bishops of whom we have heard, no men are so grossly overpaid as the officials of the civil service in India. The proof of this may be found everywhere. Look at the Island of Ceylon; there the duties are as arduous and the climate as unfavourable as in India; yet the Government does not pay its officials there more than one half or two thirds of the salaries they are paid in India. There are in India itself many hundreds of Europeans, the officers of the Indian army, all the Indian clergy, and missionaries; there are also English merchants, carrying on their business at rates of profit not much exceeding the profits made in this country. But the civil service of the Indian Government, like everything privileged and exclusive, is a pampered body; and, notwithstanding it has produced some few able men who have worthily done their duty, I do not think the civil service of India deserves the loud praise we have so frequently heard awarded to it by speakers in this House. Now if you could reduce the expense of the civil service by any considerable amount, the best thing you could do with the money would be to increase the establishment by sending a greater number of competent persons as magistrates, collectors and officials into the distant provinces, and thereby double the facilities for good government in those districts. If you could reduce the income of the civil service one half, you could for the same money have a more efficient service throughout India than at present. You might not save money, but you would get a more complete service for it. But for the military question the House of Commons will certainly have to take it in hand; Secretaries for India are afraid to grapple with it. I am not astonished that they feel some hesitation in doing so, for from every one connected with the military service they would hear the strongest objections to reducing the number of the troops. But let me ask the Committee to consider what it has just heard. Before the Revolt the European troops in India numbered 45,000 and the Native troops 250,000; now the 45,000 European troops are 110,000, and the 250,000 Native soldiers are raised to 300,000. What was it that we heard during the Indian mutiny; what was the cause of all the letters that appeared in the newspapers? Why every man said that the great evil was having a Native army far larger than was required. That has been the source of peril, and that was the real cause of the mutiny. Now we have even a larger portion of this most perilous element than we had before. The authorities in India do not appear to have learnt anything from the mutiny, or they have learnt that all that was said in this House and in this country was untrue because they have 50,000 more Native troops than they had before the mutiny. Therefore, the mode of argument appears to be this:—A Native army was the cause of the mutiny, the cause of all our perils, and that now it is necessary to have more of it; and, as that is the perilous element, of course, 45,000 troops are not sufficient to keep them in check; therefore, you have at present 110,000; and certain officers who were examined, and the Commissioners who reported recommend that you shall always have at least 80,000 Europeans there. If we are only to have one body of troops to watch another, it seems to me there can be no hope of any diminution of our military force, nor any real reduction in our expenditure. Why is it that you require all this army? Let me ask the Committee to look at the matter as sensible men of business. The revolt, which has been such a terrible affair, has been suppressed. It was suppressed mainly by the 45,000 men in India, and not by the 110,000 you have succeeded in having there at a later period. More than that, there is not at the present moment any alarming amount of dissatisfaction in India, or at least the dissatisfied are dispirited, and have lost all hope of resisting the power of England, and must for a long period, I think, remain wholly dispirited. At the same time, you have disarmed the people over a vast province. There are millions of people in India, a great number of whom were previously in possession of arms, who do not now possess a single arm. I have seen in the last accounts, only a day or two since, a statement that not less than 1,400 forts in the kingdom of Oude alone have been destroyed, and we know that many more have been destroyed in other parts. There is at this moment no power for combined organized armed resistance against you, except that which is in the Native army, which the Indian Government has been building up of late to a greater extent than ever. The noble Lord (Lord Stanley) spoke of one point—the great importance of which I admit—the want of confidence and sympathy that must have arisen between the two races in consequence of the transactions of the last two years. The shock of revolt must have created great suspicion and hatred and fear, and there is nothing out of which panic grows so easily as out of those conditions. I believe that is the case in India, and perhaps there are indications of something of the kind at home. There is a panic, therefore, and neither the Governor General nor the civil service nor military officers can make up their minds that they are safe, recollecting the transactions of the past two years, in having a less military force than we now have in India. But if you ask those gentlemen they will never say they have enough. There are admirals here, as we know, who are perfectly wild about ships, with whom arithmetic on such a question goes for nothing. They would show you in the clearest possible manner that you had not ships enough. So also, although I am glad to find not to the same extent, as to troops. Some one said the other night, in answer to an hon. Gentleman, about an increased force of a particular kind, "There is nothing like leather," and it is so. I say naval officers and military officers are not the men to whom the Chancellor of the Exchequer should depute the great and solemn duty of determining what amount shall be expended for military purposes. There is not a country in the world that would not have been bankrupt long since, and plunged into irretrievable ruin, if the military authorities had been allowed to determine the amount of military force to be kept up, and the amount of revenue to be devoted to that purpose. I have another objection to this great army, and I now come to the question of policy, which, I am sorry to say, for India, has not been touched upon. I do not think this is a question to be merely settled by a very clever manner of giving the figures of the case. Those figures depend upon the course you intend to pursue, upon the policy which the Government intends to adopt, in that country. With this great army two things are certain—we can have no reform of the Government of India in India of any kind, nor an improved conduct on the part of the English in India towards the Natives in India. With a power like this—110,000 English troops, with an English regiment within an hour's reach of each civil servant, you will find the supremacy of the conquering race will be displayed in the most offensive manner. Everybody connected with India—the hon. Member for Devonport (Sir Erskine Perry), the hon. Member for Aberdeen (Colonel Sykes)—all who are connected with India, know well that when the English were supposed to be feeble in India, when they had not a great army in the field or a great revenue to support it, every Englishman treated the Natives by whom he was surrounded rather with the feeling that he was an intruder in the country, and that it was not only proper but absolutely necessary to treat in a conciliatory and just manner the great body of the Natives of India; but precisely as our power increased the conduct of our countrymen changed, and I find in the excellent book of F. Shore that thirty years ago, he describes this as the very source of the growing ill-feeling between the races in India. It has grown from that time to this until we have an irritation and animosity which in our time, it may be, we shall see very little removed, or perhaps never wholly allayed. A Government, then, with this vast army, must always be in a difficulty. Lord Canning, nor lord anybody else, can turn his attention to anything but this wearing, exasperating question of how money is to be got for the next quarter to pay this army. He can't turn his attention in any way to reforms, and I am convinced that this House must insist upon the Government reducing the large amount of its army, whatever be the risk. A large army will render it impossible for you to hold the country, for you will have a constantly increasing debt, and anarchy must inevitably overwhelm you in the end. A small army, a moderate conciliatory, and just Government, with the finances in a prosperous condition, and I know not but for generations and centuries this country may possess a share, and a large share, in the government of those vast territories which it has conquered. As to measures of reduction, I admit that it is of little use attempting them unless accompanied by Amendment, and I have this charge to bring against the Indian Government. I did hope when the noble Lord spoke tonight that he would have told us something which I am sure he must have known—that there is no such thing as a real Government in India at all—that there is no responsibility either to a public opinion there, or to a public opinion at home, so that we can expect a better policy or happier results. Let hon. Gentlemen imagine a Government like that in India, over which the payers of the taxes have not the slightest control; for the great body of the people in India have, as we all know, no control in any way over the Government. There is no independent English opinion either that has any control over the Government, and the only opinions are that of the Government itself, or those of the military and civil services, and chiefly of the latter. They are not the payers of taxes; they are the spenders and the enjoyers of the taxes, and therefore the Government in India is in the most unfortunate position possible for the fulfilment of the great duties that must devolve upon every wise and just Government. The civil service, being privileged, is arrogant, and I had almost said tyrannous, as any one may see who reads the Indian papers, which mainly represent the opinion of that service and the military service, which, as everywhere else where it is not checked by the resolution of the taxpayers and civilians, is clamorous and insatiable for greater expenditure. The Governor General himself, and I do not make any attack upon Lord Canning, although I could conceive a Governor General more suited to his great and difficult position, he is a creature of these very services. I now ask the noble Lord to remember a case which happened during the time he held office, and if the Committee will allow me, for the sake of illustration, to refer to it, I don't think it will be any waste of time. Hon. Gentlemen will recollect that during the last year, my hon. Friend the Member for Stockport (Mr. J. B. Smith), who has paid great and untiring attention to Indian subjects, put a question to the noble Lord relating to the annexation of a small territory called Dhar. What has been the course of events in relation to that case? The news of the annexation reached this country on the 20th of March last year. Upon the 23rd the question was put in this House, when the hon. Member for Inverness (Mr. Baillie), then Under Secretary, replied, that the Government had just been informed of it by the Governor General, and that he was solely responsible for the act, the Government here having had no previous communication. Upon the 11th of June the noble Lord (Lord Stanley) announced to the House, in answer to a question, that he had disallowed the annexation of Dhar. The despatch disallowing it has since been laid upon the table. It is dated June 22, and it asks for information from the Governor General. In India they assumed this unfortunate Rajah to be guilty of misdemeanor, because his troops had revolted, and the noble Lord in his despatch said, as I think, very sensibly, "If we can't keep our own troops, what argument is it for overturning the independence of the territory of Dhar, seeing that the Rajah himself has been faithful towards us, but his troops have rebelled?" The noble Lord asked for further information. In the preceding April the Ranee, the mother or step-mother of the Rajah, a mere boy of 13, sent two memorials to the Governor General, one by post, and the other through the local British officer, remonstrating against the annexation, and proving, as far as she could, that the Rajah had not been guilty of any wrong against us. This memorial was not acknowledged until August, when the Secretary for the Government of India desired the Ranee to forward the memorial through the Governor General's agent in Central India. In April these papers were laid upon the table of the House with one exception. The Ranee's memorial was not included in those papers. Now, when those papers were laid before the House, why was not that memorial, relating to the annexed territory, sent home and printed with the other papers, so that hon. Members of this House might have read it? The letter of the noble Lord (Lord Stanley) was dated the 22nd of June, 1858, and to this hour it has never been answered. The noble Lord's despatch disallowed the annexation; it condemned it, and asked for information. From the date of that despatch to this present 1st of August, 1859, there has not come any official information from the Governor General of what he has done, or any answer to the noble Lord's despatch, although sixteen months have elapsed. I say it is not fitting that the Secretary of State for India should be treated with utter disregard, if not with something like contempt, by any great satrap who happens to be sent out to govern any of the provinces of this country. Why, this very case shows, that in the midst of the terrible hurricane of that mutiny, the thirst of annexation was unslaked. At the very moment, or just before, that the Queen issued Her gracious Proclamation here, the Government in India annexed the territory of this Rajah, a boy of 13 years of age, manifesting at the same time an utter disregard of the Government at home and the just sentiments, if they could have been ascertained, of the whole body of the people of this country. And this must be so, as long as you have a Government like that of Calcutta. Procrastination is its very nature. The noble Lord opposite (Lord Stanley) did an excellent thing. He did honour to himself by appointing a man of a new sort as Governor of Madras. I have not an extensive acquaintance with Sir C. Trevelyan, but I believe him to be a very intelligent man and very earnest for the good of India, and anxious to do the best he can for that country. But he finds that at Madras he is like a man who is manacled, as all the Governors are. He is able to do almost nothing. But he has a spirit above being the passive instrument for doing nothing in the hands of the Governor General, and he has been disposed to make several changes which have looked excessively heterodox to those who are connected with the old Government of India, and which have shocked the nerves of the fifteen old gentlemen who meet in Leadenhall Street, and their brethren in India. I find that among the changes endeavoured to be effected by Sir C. Trevelyan, the following are enumerated:—He has endeavoured to conciliate the Natives by abolishing certain ceremonial distinctions which were supposed to degrade them when visiting Government House; he has shown personal courtesy to them which appears to be too much neglected in India; he has conspicuously rewarded those who have rendered services to the State; he has made one of the Natives his aide-de-camp; he has endeavoured to improve the land tenure, to effect a settlement of the Enam, and to abolish the impress of cattle and carts. He has also abolished three-fourths, or, perhaps, more, of the paper work of the public servants. He also begun the great task of judicial reform, than which none is more urgently pressing. But what is said of Sir C. Trevelyan for instituting these reforms? He has raised a hornets' nest about him. Those who surround the Governor General at Calcutta say, "We might as well have the Governors of the Presidencies independent, if they are to do as they like without consulting the Governor General as has been done in past times." The *Friend of India* is a journal not particularly scrupulous in supporting the Calcutta Government, and which has a horror of any Government of India except by the Governor General and the few individuals who surround him. A writer in the *Friend of India* says:—

> "Sir C. Trevelyan relies doubtless on Lord Stanley, and we do not dream of denying that the Secretary of State has provocation enough to excuse the unusual course he seems obliged to pursue. To send a reform to Calcutta is, at present, simply to lay it aside. It will probably not even be answered for two years, certainly not carried in five. Even when sanctioned, it will have to pass through a crucible through which no plan can escape entire. That weary waiting for Calcutta, of which all men, from Lord Stanley to the people of Singapore, now bitterly complain, may well tempt the Secretary to carry on his plans by the first mode offered to his hand."

Here are only a dozen lines from a long article, and there are other articles in the same paper to the same purport. I think, then, that I am justified in condemning any Secretary for India who contents himself with giving us the figures necessary to show the state of the finances, which any clerk in the office could have done, and abstains from going into the questions of the Government of India and that policy upon which alone you can base any solid hope of an improvement in the condition of that country. There is another point I would mention. The Governor General of India goes out knowing little or nothing of India. I know exactly what he does when he is appointed. He shuts himself up to commence the first volume of Mr. Mill's *History of India*, and he reads through this laborious work without nearly so much effect in making him a good Governor General as a man might ignorantly suppose. He goes to India, a country of twenty-one nations, speaking twenty-one languages. He knows none of those nations, and he has not a glimmer of the grammar and pronunciation of those languages. He is surrounded by half-a-dozen or a dozen gentlemen who have been from fifteen to forty years in that country, and who have scrambled from the moderate but sure allowance with which they began in the service to the positions they now occupy. He knows nothing of the country or the people, and they are really unknown to the Government of India. To this hour the present Governor General has not travelled through any considerable portion of the territory of India. If he did, he would have to pay an increased assurance upon his life for travelling through a country in which there are very few roads and no bridges at all. Observe the position, then, in which the Governor General is placed. He is surrounded by an official circle, he breathes an official air, and everything is dim or dark beyond it. You lay duties upon him utterly beyond the mental or bodily strength of any man who ever existed adequately to perform. Turning from the Governor General to the Civil Service, see how short the period in which your servants in that country remain in any particular office. You are constantly criticising the bad customs of the United States, where every postmaster and many other officers lose their situations, and others are appointed whenever a new President is elected. You never make blunders like the United States, and you will therefore be surprised at a statement given in evidence by Mr. Underhill, the Secretary of the Baptist Missionary Society. He says that in certain districts in Bengal there are three or four Englishmen to 1,000,000 inhabitants, and that the magistrates are pepetually moving about. I have here the names of several gentlemen cited. Mr. Henry Lushington went to India in 1821, and remained till 1842. During these twenty-one years he filled twenty-one different offices; he went to Europe twice, being absent from India not less than four and a quarter years. Upon an average, therefore, he held his twenty-one offices not more than nine months each. Mr. J. P. Grant was Governor of Bengal. That was so good a place that he remained stationary in it. But he went to India in 1828, and remained there until 1841. In those thirteen years he held twenty-four different situations, being an average of less than six months for each. Mr. Charles Grant is a name which for three or four generations has been swarming in India. He was in India from 1829 to 1842, and in those thirteen years he filled seventeen offices, being an average of only eight months for each office. Mr. Halliday, Governor of Bengal, went to India in 1825, and remained until 1843. In those eighteen years he held twenty-one offices, and he did not become stationary until he was accredited to the lucrative and great office of Governor of Bengal. I think these facts show that there is something in the arrangements of the Indian Government which makes it no Government at all, except for the purpose of raising money and spending the taxes. It is no Government for watching over the people and conferring upon them those blessings which we try to silence our consciences by believing the British Government is established in India to promote. What can a Governor General do with such a Council, and with servants who are ever changing in all the departments? I am not stating my own opinion, but what is proved by the blue-books. Mr. Halliday stated that the police of Bengal were more feared than thieves and dacoits. But how is this Government, so occupied and so embarrassed, to be expected to put the police on a satisfactory footing? With regard to justice, I might appeal to any gentleman who has been in India whether, for the most part, the Judges in the Company's Courts are not without training, and if they are without training they will probably be without law. The delay is something of which we can have no conception, even with our experience of the Court of Chancery in this country, and perjury and wrong are universal wherever the courts of the Company's service have been established in India. Of their taxation we hear enough to-night. It is clumsy and unscientific. In their finance there is such confusion that the Government proposes to send out somebody, not to raise revenue, not to spend it, but somebody who will be able to tell you how it is, for that is what you want to know. They have no system of bookkeeping whatever. The Secretary of State to-night gives us a statement of revenue and of expenditure up to the 30th of April, 1858, sixteen months back, and even for the year preceding he can only furnish what he calls an "estimate." Would any other Legislative Assembly in the whole world, except this, tolerate such a state of things? I did try myself several years ago to get a statement of the accounts up to a later period; but I found it was of no use. They ought to be brought up to a later period; the thing is quite within the range of possibility; it is simply not done because there is no proper system of bookkeeping, and no one responsible for not doing it. You have no Government in India; you have no financial statement; you have no system of bookkeeping; no responsibility, and everything goes to confusion and ruin because there is such a Government, or no Government, and the English House of Commons has not taken the pains to place things on a better footing. The Secretary of State to-night points to the increase in the English trade. In that trade I am myself interested, and I am most delighted to see that increase; but it should be borne in mind that just now it is not a natural increase, and therefore not likely to be permanent. If you are spending so many millions in railroads and in carrying on war—that is, £22,000,000 for your armaments in India, instead of £12,000,000—is not that likely to make a great difference in your power to import more largely from this country? Do not we know that when the Government of the day was pouring English treasure into the Crimea the trade with the Levant was most materially increased? And, therefore, I say it will be a delusion for the right hon. Gentleman to expect that the extraordinary increase which has taken place within the last three years will go on in future in the same proportion. Now, the point which I wish to bring before the Committee and the Government is this, because it is on this that I rely mainly—I think I may say almost entirely—for any improvement in the future of India. It would be impertinent to take up the time of the Committee by merely cavilling at what other people said, and pointing out their errors and blunders if I had no hope of being able to suggest any improvement in the existing state of things. I believe a great improvement may be made, and by a gradual progress that will dislocate nothing. I dare say it may disappoint some individuals, but where it will disappoint one man in India it will please a thousand. What you want is to de-centralize your Government. I hold it to be manifestly impossible to govern 200,000,000 of persons, composing twenty-one different nations, speaking as many different languages, by a man who knows nothing of India, assisted by half-a-dozen councillors belonging to a privileged order, many of whom have had very little experience in India, except within narrow limits, and whose experience never involved the consideration and settlement of great questions of statesmanship. If you could have an independent Government in India for every 20,000,000 of its people, I do not hesitate to say, though we are so many thousand miles away, that there are Englishmen who, settling down among those 20,000,000 of people, would be able to conduct the Government of that particular province on conditions wholly different and immeasurably better than anything in the way of administration which we have ever seen in India. If I were Secretary of State for India, and not being so I would recommend the right hon. Gentleman to do that which I could do myself, or I would not hold his office for one month; because, as to holding office and coming before the House Session after Session with a gloomy statement, and with no kind of case to show that you are doing anything for India, or that you are justified in holding possession of it at all, is nothing but to receive a salary and to hold a dignity without any adequate notion of the high responsibility attaching to them. I am not blaming the right hon. Gentleman in particular; he is only doing what all his predecessors before him have done. There has been no real improvement since I have sat in Parliament in the government of India, and I believe the Bill of last year is not one whit better for purposes of administration than any that has gone before. But he would suggest to the right hon. Gentleman, whether it would not be a good thing to bring in a Bill to extend and define the powers of the Governors of the various Presidencies in India? I do not ask the right hon. Gentleman to turn out the fifteen gentlemen who assist him in Leadenhall Street to vegetate on their pensions, but I ask him to go to India and take the Presidency of Madras for instance. Let arrangements be made by which that Presidency shall be in a position to correspond directly with him in this country, and let every one connected with that Government of Madras feel that, with regard to the interests and the people of that Presidency, they will be responsible for protection. At present there is no sort of tie between the governors and the governed. Why is it that we should not do for Madras what has been done for the Island of Ceylon? I am not about to set up the Council of Ceylon as a model institution; it is far from that, but I will tell you what it is, and you will see that it would not be a difficult thing to make the change I propose. The other day I asked a gentleman holding an office in the Government, and who had lived some years in Ceylon, what was the state of the Council? He said it was composed of sixteen members, of whom six were non-official and independent, aud the Governor had always a majority. He added that at the present moment in that Council there was one gentleman a pure Cingalese by birth and blood, another a Brahmin, another a half-caste, whose father was a Dutchman and whose mother was a Native, and three others who were either English merchants or planters. The Council has not much *prestige*, and therefore it is not easy to induce merchants in the interior to be members and to undertake its moderate duties; but the result is that this Cingalese, this Brahmin, this half-caste, and these three Englishmen, although they cannot out-vote Sir H. Ward, the Governor, are able to discuss questions of public interest in the eye and the ear of the public, and to tell what the independent population want, and so to form a representation of public opinion in the Council, which I will undertake to say, although so inefficient, is yet of high importance in the satisfactory government of that island. Why is it that we can have nothing like this in the Councils of Madras or Bombay? It would be easy to do, and I believe that an Act of Parliament which would do it would lay the foundation of the greatest reform that has yet taken place in India. At present all the governors are in fetters; and I see that blame has been imputed to Sir Charles Trevelyan for endeavouring to break through those fetters. No doubt an attempt will be made to get him recalled, but I hope that the right hon. Gentleman, while he moderates the ardour of the Governor so far as to prevent a rebellion among the civilians, will support him honestly and faithfully in all those changes which the right hon. Gentleman knows as well as I do are essential to the improvement of the government of that country. There is yet another question, and that is, what is to be done with regard to the people of India on the subject of education, and especially with reference to the matter of religious instruction? I beg the right hon. Gentleman to be cautious how he takes the advice of any gentlemen in this country who ask him to make changes in the established order of things there by appearing in the slightest degree to set yourselves to overthrow the caste and religion of the Natives of India. I have here an extract from a letter written by a gentleman who was present at one of the ceremonies of reading the Queen's Proclamation in November last. He says:—

> "Not less than 7,000 Natives of all ranks and conditions and religions flocked to the esplanade at Tellicherry, where there was no show but the parading of a company of Sepoys, who fired a *feu de joie* very badly, to hear the Queen's Proclamation read. All who heard, all who heard not, manifested the deepest interest in it. The pledged inviolability of their religion and their lands spread like wildfire through the crowd, and was soon in every man's mouth. Their satisfaction was unbounded. . . . I mentioned that I went to Tellicherry to hear the Queen's Proclamation read. We have since had it read here (Anjarakandy). You will see an account of what took place on the occasion in the accompanying copy of an official report I addressed to the assistant-magistrate. What I have described understates the feeling manifested by the people. They were all eyes and ears, listening breathlessly to what was being read. You will observe that convening them for any public purpose whatever, except here, was a thing unknown, and would have been a thing scouted under the Company's government. Here I always assemble them, communicate everything they ought to know and hear, and talk it over with them. But a Queen's Proclamation is not an every-day affair, so they came in crowds, and I will venture to say that there is not another place in the Queen's India where it was so clearly explained to them or so thoroughly understood. But the impartial toleration of their religion and caste was the be-all and end-all of their comments, praise, and individual satisfaction. One Mafitta said, 'They had had scores of proclamations upon every conceivable subject, but never one so wise and sensible as this.'"

The East India Company was a wonderful Company for writing despatches, and there is nothing so Christian as their doctrine, nothing so unchristian as their conduct. That Proclamation has in it the basis of all you should aim at in future in India—a regard to the sacredness of their property, and the sacredness of their religion, and an extension to them of as regular and full justice as you show to your own fallen countrymen who are living in this country. Depend upon it these Natives of India can comprehend this as well as we comprehend it; and, if you treat them as we are treated, and as they ought to be treated, you will not require 400,000 men to help you to govern a people who are notoriously among the most industrious and most peaceable to be found on the face of the earth. There has lately been an act done by the noble Lord (Lord Stanley) to which I must allude. Why he did it I do not know. I am sure the noble Lord did not mean by it to do an act of injustice—though very great injustice has been done. A question was put the other night about a Native of India who had come to this country to qualify himself for entering into competition for employment in the civil service of his country. I have seen that young gentleman, and conversed with him; and when I state his case, it will be seen whether he has been treated well or wisely, though the regulation under which he has suffered may have been made without any reference to him individually. He arrived in this country in June, 1856, and remained preparing himself for competition for two years and a-half till December, 1858, when a new regulation came out, which made twenty-two instead of twenty-three years of age, the period for entering the civil service. He might have been ready for competition in July, 1860, but he could not be ready in July, 1859. Under these circumstances he would be past the age of twenty-two before he could be able to present himself for examination. The consequence is, that he has been obliged to turn himself to another channel for employment. His father is an assistant-builder in the Government dockyard of Bombay, and has been in England. There was great interest excited among the Natives when the young man left India to come to England, and there is great disappointment among his friends at the result. He has been laughed at for trusting the Government, and it is said that while the Government go on changing their regulations in this way no faith can be put in them. Now this is the first case of this kind that has happened. This young gentleman, or his father, has expended £1,500 in bringing him here and in endeavouring to give him the best education, solely with a view to suit him for the civil service. If he had entered into that civil service a great thing would have been accomplished. The result would have been that the House and the Secretary for India would have seen that it was very unjust, while the son of any one here could at home pursue his studies and enter into competition for the civil service, the sons of the Natives of India who wished to enter into the service of their own country must come thousands of miles at great expense, and live apart from their families for years before they were able to accomplish their object, and the result must have been that you would have established in some city in India the same mode of examination that you have established here. You must have been led to do that which would have enabled young men in India to offer themselves for the civil service of their country on as favourable terms as could be done in England. I am sure the noble Lord never had the slightest idea of the regulation having reference to this young man, or of injuring him; yet it has been done, and what has occurred leads to the conclusion that either somebody very deep in these matters has been at the bottom of this change, or that some wonderful combination of unfortunate circumstances has been at work, by which that which we have all so much at heart has been retarded. If the noble Lord had struck out this regulation, or made a new one, by which this young man could have had a chance of going home as a servant of civil service, the fact would have been worth a regiment of soldiers in India. In speaking on this subject I have nothing new to offer to the attention of the House. I have propounded the very same theories and remedies years ago. They are not my remedies and theories. I am not the inventor of local government for India, but the more I have considered the subject—the more I have discussed it with Members of this House and with gentlemen connected with India—the more I am convinced that you will not make a single step towards the improvement of India unless you change your whole system of government—unless you give to each Presidency a government with more independent powers than are now possessed by them. What would be thought if the whole of Europe was under one governor, who knew only the language of the Feejee Islands, and that his subordinates were like himself, only more intelligent than the inhabitants of Feejee Islands are supposed to be? You set a governor over nearly 200,000,000 of human beings, in a climate where the European cannot do the work he has to do so well as here—where neither the moral nor physical strength of the individual is equal to what it is at home—and you do not even always furnish the most powerful men for the office; you seem to think that the atmosphere will be always calm and the sea always smooth—and so the government of India goes on; there are promises without number of beneficial changes, but we never hear that India is much better or worse than before. Now, that is not the way to do justice to a great empire like India. If you had had a Native government in India, the late disturbances among your own troops would not have happened; and I own I tremble when I reflect that every post may bring us, in the present temper of the European troops in India, some dire intelligence of acts which they may have committed, thinking this a convenient opportunity for pressing some great claim of their own. I beg the Committee to consider this matter, notwithstanding that the right hon. Gentleman is not disposed to take a gloomy view of the state of India. Look at your responsibilities. India is ruled by Englishmen, but remember that in that unfortunate country you have destroyed every form of government but your own, you have cast the thrones of the Natives to the ground. Princely families, once the rulers of India, are now either houseless wanderers in the land they once called their own, or are pensioners on the bounty of the strangers by whom their fortunes have been overthrown. Nobles and gentry for ages are now merged in the common mass of the people. All over those vast regions there are countless millions helpless and defenceless, deprived of their natural leaders and their ancient chiefs, looking with only some small ray of hope to that omnipresent and irresistible Power by which they have been subjected. I appeal to you on behalf of the people. I have besought your mercy and your justice for many a year past; and if I speak to you earnestly now it is because the object for which I plead is dear to my heart. Is it not possible to touch a chord in the hearts of Englishmen, to raise them to a sense of the miseries inflicted on that once happy country by the crimes and the blunders of our rulers here? If you have steeled your hearts against the Natives; if nothing can stir you to sympathy with their miseries, at least have pity upon your own countrymen. Rely upon it the state of things which now exists in India must, before long, become most serious. I hope that you will not show to the world that, although your fathers conquered the country, you have not the ability to govern it. You had better disencumber yourselves of the fatal gift of empire rather than the present generation should be punished for the sins of the past. I speak in condemnatory language, because I believe it is deserved, and I hope that no future historian will have to say the arms of England in India were irresistible, and before their victorious progress that ancient empire fell, but she was finally avenged, because the power of her conqueror was broken by the intolerable burdens and evils she cast upon her, accompanied by a waste of human life and a waste of money, which England herself was not able to bear.

MR. T. G. BARING said, the hon. Gentleman owed no apology to the Committee for addressing them on a subject to which he had paid much attention for so many years past, and on several points he agreed very much with what the hon. Gentleman had said. He did not think, however, that there was any foundation for the complaint that the Secretary of State for India had confined himself to a dry statement of figures, as it was but a short time ago since the noble Lord who preceded him in office had entered into a very able and comprehensive statement with regard to all those questions of public policy which the hon. Member himself had brought before the House to-night, and the present question was essentially a financial one; he would, however, touch upon a few of the points to which the hon. Gentleman had adverted. He agreed with the hon. Gentleman that the Governor General was overworked, and that it was impossible for him to give his attention to all the matters submitted to him. That would probably explain why there had been no answer to the despatch in reference to the annexation of Dhar. A further despatch had, however, been recently sent out to India. The hon. Gentleman alluded to the frequent changes of office passed through before a civil servant attained high office in India. The recommendation in Mr. Rickett's report that salaries should be personal and not attached to the office merely, would probably meet many of the objections on that point; but the hon. Gentleman must recollect that much the same thing happened in this country, as most of the persons who held posts of great political importance here had passed through a great variety of offices. With respect to the Government of India, one change at least of great importance had been announced to-night—the union of the finance and revenue departments under a Member of Council appointed from this country to take charge of them both. That arrangement might be expected to confer great benefit on Indian administration. The hon. Gentleman was not quite accurate in saying that we had merely an estimate of the revenue of 1857-8, since the accounts for that year had been laid on the table and printed. We had an estimate only for 1858-9, for of course, it was too early yet to have received the accounts of that year with respect to Sir Charles Trevelyan. He could assure the hon. Gentleman that the Home Government had not the slightest desire to fetter his laudable zeal. From his great abilities and his knowledge of India, he was qualified to deal with questions of the highest importance, and, so far from any obstacle being thrown in his way, any suggestions which he might have to make would receive the fullest consideration. Several suggestions of his were now under consideration, such as a proposal for shortening correspondence — and certainly a change might be made in that particular with great advantage to both the Government at home and in India. With regard to the Enam Commission, Sir Charles Trevelyan had forwarded his opinion, but the opinion of the other Members of the Madras Government had not yet been received. The question was one which required the most deliberate consideration before any decision could be arrived at with regard to it. One circumstance connected with a minute of Sir Charles Trevelyan had certainly excited considerable comment in India, but it was an exceptional circumstance. It appeared that a minute written by the Governor on an Act passed by the Legislative Council, had been published in one of the Madras newspapers before it was communicated to the Supreme Government at Calcutta or the Home Government —a circumstance which had naturally attracted much attention. With regard to the question of decentralization, he could not go along with the hon. Gentleman in thinking that the minor Governments of India could be made independent of the Supreme Government. The chief powers of Government must rest in the hands of the Supreme Government; the financial check must be there, and the military control, but he admitted that a considerable saving of time would be made by relieving the minor Governments from the necessity of referring to the Supreme Government in regard to matters of detail. With regard to the Natives of India the hon. Gentleman had justly drawn attention to the necessity of associating the Natives in the Government of India. He entirely agreed with him. The right hon. Baronet (Sir Charles Wood) was of the same opinion, and there would be no disinclination on the part of Her Majesty's Government to do so when opportunity offered. In reference to the case of the Native gentleman who had come from Bombay to offer himself as a candidate at the next competitive examination for the Civil Service, but was prevented from doing so, that decision was come to by the noble Lord the late Secretary of State, and the cause of his exclusion was simply this. The limit of the age had formerly been 23; two years ago it was changed to 22; in consequence of some remonstrance it was retained at 23 for this year only, and as far as his age was concerned, the young gentleman was perfectly able to go up this year, but he wished to postpone his examination until next year when he would be above the age. To show that full justice had been done in this case he might mention that the noble Lord opposite, the late Indian Secretary, had referred the matter confidentially to Sir Edward Ryan, one of the Civil Service Commissioners, who was the person by whom this young man was originally recommended to come over to England, and his opinion was that except by altering the regulation as to the limit altogether, there was no way by which this young gentleman could come up. He regretted the case, but the decision could not be avoided. The real question, however, before the Committee was the financial question: and that of course depended mainly upon the amount of the military expenditure. The hon. Gentleman had stated he saw with regret, and almost with despair, that it now equalled the net revenue. This was hardly quite accurate, for in point of fact it was only two-thirds, and he (Mr. T. G. Baring) drew a more satisfactory conclusion from the fact: the military expenditure for the year 1859-60 was estimated at £21,000,000, the year before the mutiny it was only £12,000,000, showing a margin of £9,000,000 for a reduction to what it was before the mutiny; and when that was accomplished, as he hoped it soon would be, the revenue and expenditure would be equalized. The reduction in the military expenditure could not but be gradual. During the mutiny a large number of Native levies had been raised which could not at once be reduced, as it would not be advisable to let these levies who had served us well in the late struggle think they were hardly treated. The Government of India were applying themselves with great vigour to this question of the reduction of the Native army. The noble Lord, the late Secretary, had given instructions to that effect. A despatch had been received this morning announcing certain reductions, and no exertions would be omitted by the Government either at home or in India to reduce as fast as possible the large millitary expenditure which was the main cause of the present financial difficulty. As to reductions in the salaries of the civil service, the hon. Gentleman had again drawn a comparison between the salaries of the civil servants in Ceylon and those in India as an argument for reduction in India; but the climate in Ceylon was much better, and if the number of Europeans in proportion to the population was taken into account, the comparison would not be so unfavourable. He believed the salaries of working men in India were not too high. He believed, however, there were some which were not working appointments and which ought either to be reduced or abolished. As far back as 1855 the right hon. Baronet (Sir Charles Wood), then President of the Board of Control, sent out instructions for a revision of the salaries of the civil service. The gigantic undertaking was entrusted to Mr. Ricketts. His report, occupying five folio volumes, has just been received, but had not yet been considered; he recommended some reductions, but at the same time certain additions. With regard to the uncovenanted servants, Mr. Ricketts raised the question whether the number should not be increased, and also recommended the employment of additional Europeans, of whom there was now a great want, as was proved before the Committee upon Colonization upstairs. Mr. Ricketts recommended the division of some of the large collectorates, which were too much for the supervision of one man, and upon the whole we could not look for any large saving in the cost of European superintendence in India. With regard to the actual position of the finances, the right hon. Baronet had stated that for the year 1859-60 the deficiency would be £10,000,000, To meet this there was the loan of £7,000,000, raised by the noble Lord the Member for King's Lynn; this £4,500,000 had been obtained, £2,000,000 were expected to be raised in India, making £6,500,000, which with £2,000,000 of the English loan not yet called in made £8,500,000; they now proposed to take power to borrow £5,000,000, making £13,500,000 as against a deficiency of £10,000,000; but there was a sum of £2,000,000 required for railway expenditure, leaving it £12,000,000 against £13,500,000—not too large a margin under the circumstances. The hon. Member for London (Mr. Crawford) had complained of the new export duties upon raw materials; but, in fact, no additional duty had been placed on jute or hemp, and the duty had been entirely taken off raw silk and some other articles, which came in competition with the produce of foreign countries. With regard to the future financial prospects of India he trusted the Committee would believe the Government were determined to make every reduction which was consistent with the efficiency of the military service and of all other departments. The charge for interest on the railway expenditure would soon be diminished, or disappear altogether. The revenue of India had always hitherto shown a great and steady increase from year to year, and there were sources of taxation yet untouched. When they recollected all these facts, he thought the Committee would feel that the right hon. Baronet had not taken too sanguine a view when he expressed the hope that if tranquillity were preserved, in two or three years the income and expenditure would be balanced. That this result should be realized, it was, he agreed with the hon. Member for Birmingham, essential that the people of India should be convinced that the country was to be governed for the promotion of their interests, and that the principles of Her Majesty's most gracious Proclamation should be conscientiously carried out, perfect religious equality being secured to all classes of Her Majesty's subjects.

Mr. DANBY SEYMOUR said, he regretted that the right hon. Gentleman the Secretary of State had not dwelt more on the general question of the Government of India. He seemed to differ from the noble Lord his predecessor on some points; amongst others, with regard to the expediency of the sale of the fee simple of the land, as proposed by Sir C. Trevelyan. In his (Mr. Seymour's) opinion that was a most useful proposal, and if carried into effect at Madras with success, he trusted the Government of India would depart from its usual course, and not allow the change to be confined to the district for twenty years. Some years ago a great improvement was effected in Chittagong, by the substitution of oral pleadings in the court for the long written form before in use, but nothing had since been done to introduce the change elsewhere. There was one great fault in India, that if an intelligent officer made an improvement, the apathy and clog of the central Government prevented its being carried out. There was a plethora of business at Calcutta, which it was impossible to get through satisfactorily, and this led to the saying that when "once a thing was referred to Calcutta it was shelved for ever." The question was — Did the Government really wish to carry out reforms, and had they taken the practical means of doing so? One subject would afford an illustration—the reduction of the salaries of the civil service; the idea was right, but they did not begin the right way. The right hon. Baronet the Secretary for India, when he was formerly in power, ordered one of the ablest officers in India, Mr. Ricketts—who, he thought, had been unwisely taken from his duties at a time when civil servants were greatly wanted — to go into every part of India, and to inquire into every office and every Presidency. This took him two years to do, and that gentleman had since produced twenty-two reports; but though it was now four years since this direction had been first issued, no measure whatever of a practical character had yet resulted from his labours. The original idea of the right hon. Baronet (Sir Charles Wood) was a good one. It was to prepare a classification of officers in this country and consider the reduction of their salaries, and then send the scheme out to the Government in India for them to make their remarks on it. As was usually the case, however, with Presidents of the Board of Control, and Secretaries of State for India, the right hon. Gentleman was overriden by the gentlemen around him; and the question had remained in the same state to the present time. The army of Bengal was known to be in a dangerous state of insubordination for ten, or even twenty years before the mutiny broke out; and here he must say, that the Marquess of Dalhousie was not to blame. The noble Marquess had paid great attention to the subject, and had prepared long before he left India a series of despatches in which he suggested the reorganization of every part of the Indian army. The first of those despatches was sent home. It was a very important one, for it suggested the conversion of the regular into irregular cavalry. The noble

Marquess said to the India House, "You have nothing to do but to send me back your authorization as quickly as possible, and I will carry out the plan." But what took place? That despatch remained unanswered for eighteen months; and then a refusal to sanction the scheme was returned to India. He (the hon. Member) believed that if he had been permitted to make the attempt, the noble Marquess would have succeeded in carrying out those reforms which his experience so fitted him to inaugurate; and he might thus have saved the country from the dreadful explosion that followed. He (Mr. Seymour) had great pleasure in bearing his testimony to the noble Marquess's great administrative ability, though he was certainly no admirer of his policy of annexation. No doubt the hon. Member (Mr. Bright) was quite right in saying that the amount of our Indian army must depend upon the principles upon which we governed the country. The noble Lord (Lord Stanley), by his proclamations, by his sending out such a benefactor to India as Sir C. Trevelyan, and by his treatment of the people, had begun to draw them towards us; and he (Mr. Seymour) hoped that the right hon. Baronet would follow in the noble Lord's steps. The people of India were capable of warm emotions, and the best way to attach them to our rule was to show them that we took an interest in them, by diminishing the interference of officials, and by listening to the reasonable complaints that from time to time they might send to this country. The Native Princes who came to this country to urge their claims had not hitherto had their cases properly considered or had justice done to them. Take the case of the Stipendiary of the Carnatic. The other day that gentleman, a Prince in his Native country, brought to him (Mr. Seymour) quite a touching letter which he had written to the right hon. Baronet, and in which he stated that though the Government had acknowledged the claims of his family, they could not obtain any practical redress. He (Mr. Seymour) was glad to hear the right hon. Gentleman say a few months ago that he was averse to the alienation of land, so long as an heir could be found by any Hindoo theory of relationship or adoption; and if the right hon. Gentleman, now that he held an official position, would only repeat, that observation, he was sure it would be hailed in India with the deepest satisfaction. With regard to the question of revenue, he thought all the propositions of increased taxation were open to great objection. First, as regarded the salt tax, that impost was already a great burden, which it would be most impolitic to increase, especially in Madras, where at least 50 per cent of the produce of the soil was consumed by the assessment, and the population were reduced to the greatest state of penury. If they expected people to accumulate property which could be taxed, they must reduce rather than add to their burdens; besides all which, the salt tax prevented the Natives from availing themselves of that vast source of wealth which presented itself in the great shoals of fish frequenting their coasts. Then, again, what could be a greater grievance than the stamp duties, the augmentation of which was proposed? No one in India at present could come before a court of justice without the stamp of permission; and, in fact, the stamps were a great public nuisance, which yielded a very small revenue. As to the new licences, he really did not know what they could mean; for the tax on spirits already existed in the form of licences. The succession tax, again, could scarcely bring much to the public coffers in a country where land was said to have no value. There were several taxes which would be far better than any of those mentioned by the right hon. Baronet. Why not, for instance, devise some plan for making the moneyed classes contribute to the public Exchequer. In Russia every merchant was obliged to belong to one of three guilds; and then a tax was laid on each of those institutions. Why not adopt a similar plan? If we must have an increased revenue, we should have recourse to forms of taxation which would not offend the Oriental mind. In Southern India there was the motufur, a collection of small taxes. No doubt some of those were bad ones, but there were some of them that were not. Again, why not adopt a tax which had existed in every country in the world, namely, a poll tax? At all events it was necessary to find something better than taxing the poorer classes of the Indian people. Another source of revenue that would be perfectly legitimate was the sale of lands. There was no reason in the world why the Government of India should not, like that of the United States, derive a large annual sum from this source. There were enormous tracts of land lying desolate in India. The people of India were very anxious to redeem their land from assessment, and why should not that be permitted? A revenue of £1,000,000 or £2,000,000 might be obtained from that legitimate source. He was glad to hear the noble Lord speak as he had done of the exclusiveness existing in the civil service and of the intention he had formed of introducing a more liberal system. Civil services existed in every despotic country, but in no country was a man who wished to enter the civil service required to enter at the bottom of the service as the only means of reaching the top. It would be a great improvement to let persons enter at the third or fourth rank with the permission of the Government. In the case of Mr. Venables, the Government had been absolutely unable to reward him as they wished, simply because he was not a covenanted servant. Last Session he (Mr. Danby Seymour) asked the House to consent to the repeal of the Act of *Geo.* III., with the view of enabling the Secretary of State to permit the civil service to be entered in the way he had referred to. Years ago the Marquess of Dalhousie and other high authorities in India recommended that alteration. If it were adopted it would allay the bad feeling which existed between independent Europeans in India and the official community. Of late that feeling had been much diminished by the trying circumstances under which the two classes had been brought together, but with the return of peace it would revive: and there could, at all events, be little doubt that the disparaging manner in which the independent Europeans used to speak of the officials just before the mutiny had done the Government no good. It would likewise be a great improvement to resort once more to the old plan of placing the heads of the different departments in the Council. The Councils were formed of men who had been longest in the service, and it was not etiquette for a man to enter the service again after he had been a member of the Council. Such men were looking to their return home, and were likely to feel much interest in public affairs. The consequence was that at present these Councils were clogs upon the Governor; but if they were formed in the same manner as our own Cabinet was formed they would possess all the knowledge that was necessary and all the interest that they ought to feel in the prosperity of India. They would also feel a greater responsibility. He did not think that the statement of the hon. Member for Birmingham was overcharged. There was in India a universal complaint of the stagnation of affairs, and the decentralization advocated by the hon. Member was called for. Decentralization, however, could not be carried out to the extent advocated by the hon. Member. But Burmah, the Tenasserim provinces, and Singapore, should be put under separate government and attached to the Colonial Office. Burmah had nothing to do with India. Its people were a totally different race from that of India. Singapore was much more closely connected with China than India. The Council in Calcutta was too overworked to attend to the government of these places, and, in fact, they were left to Under Secretaries, whose names no one had ever heard of. With regard to the resources of India, he could not see why the Government should not make use of its credit, as Russia did. In Russia, Government paid its soldiers in Asia with paper, which circulated everywhere; the Government refused to give India the same facilities for establishing banks which were accorded without hesitation to the Colonies. There were dreadful complaints of the way in which business was done at the India House; and it was said to be not half so well done now as when the two departments were divided. He had heard that two-thirds of the establishment might be dispensed with, and he trusted that they would set an example to the Government in India by the way in which they would put to rights the Government at home.

Mr. VANSITTART said, he was glad to hear that the right hon. Baronet did not intend to reduce the salaries of the present incumbents of the civil service. Now that India had become an integral portion of the British Empire, we required the introduction of a new system and a greater number of civil functionaries with reduced jurisdictions in the Mofussil—*i. e.* the provinces. Indeed, each of the present districts of those officers ought to be divided into two, or even four, so as to bring justice to every man's door. He would introduce a new tone in society, a stricter supervision in every single department, and a simple, civil, and criminal code in the place of our present tardy, complicated, and cumbersome system. He would strongly advocate the immediate abolishment of that costly and nonsensical Legislative Council at Calcutta, unless it could be remodelled upon a totally different footing; and he would at once amalgamate, without further reference to India, the Supreme Courts with the Sudder Courts; and adopt such other measures as would induce the English capitalist to invest his money and enterprise in the country; for we might depend upon it that the greater the number of Europeans who could be induced to settle there, the stronger would be our hold over the Natives, and the more would they see to admire and respect in the English character. As an instance of this growing feeling, he could not do better than read the proceedings of a meeting held in the Town-hall of Calcutta last November, to consider a loyal address to Her Majesty on the occasion of the promulgation of the Proclamation penned by his noble Friend the Member for Lynn—a Proclamation which had been pronounced in all parts of India, and by all classes, civilians, merchants, colonists, and Natives of every sect, creed, denomination, and caste, to be a great success. Mr. Wylie took the chair, and amid tremendous cheering pointed out that the word "amnesty" was heard for the first time in India, and it was Christianity alone which taught men to forgive. Baboo Ramgopaul Ghose then rose from the Hindoo side of the House, and spoke as follows in English:—

> "If I had power and influence I would proclaim through the length and breadth of this land, from the Himalayas to Cape Comorin, from the Behmapootra to the Bay of Cambay, that never were the Natives more grievously mistaken than they have been in adopting the notion, foisted upon them by designing and ambitious men, that their religion was at stake, for that notion I believe to be at the root of the late rebellion. They do not understand the generosity, the benevolence of the governing Power, the evenhanded justice with which that Power is willing and anxious always to do that which is right between man and man, without any reference whatever to the fact whether the men belonged to the governing or to the governed class."

When he saw highly intelligent Hindoos attending public meetings and giving vent to such noble sentiments, when he reflected upon the elasticity of the resources of India, and when he beheld men like Sir Charles Trevelyan acting in a bold and energetic manner, he could not but think that all we required was the co-operation of an equally bold and energetic Indian Minister at home, in order to insure to India a glorious future; and, notwithstanding the gloomy forebodings entertained by so many in consequence of the financial depression under which she was at present suffering, he believed that only a few years were required to restore India to the state in which she was before the mutiny.

Mr. GREGSON said, he agreed with the noble Lord the Member for Lynn that a tax upon tobacco would be an exceedingly undesirable mode of increasing the revenue of India. It was tried a few years ago, and failed. He could not but thank the right hon. Gentleman the Secretary of State for not having proposed an Imperial guarantee, which would be very unfair to those who had already lent us money. He thought that some reduction might be made in the military expenditure, but condemned the proposal to increase the duty upon salt. It was not justified by the paltry increase of £300,000 which was all that was expected from it. Considering the difference in the value of money in the two countries, and the elasticity of the resources of India, he thought a higher rate of interest might be given than that at which the last loan was raised. The Bank of India were paying 9 per cent; therefore 4, 5, or even 6 per cent was a moderate rate of interest for an Indian loan. In this view the rate of interest upon the Indian debt was not, in his opinion, greater than that which we paid at home.

Mr. KINNAIRD regretted that the Government had resolved to refuse to India the temporary assistance of an Imperial guarantee. India had been the source of great advantage to this country; the Secretary of State admitted that her resources were elastic, and yet she was not to receive that small aid which was readily granted to the West India Islands in a moment of difficulty. Every one acknowledged that a guarantee must ultimately be given. Why not, then, give it at once, and so by a bold policy meet a temporary evil? He regretted that when a Governor General was wanted for India, Ministers should send out a man who knew nothing of that country, for such a man was at the mercy of his council for two or three years at least, and only became acquainted with the duties of his position about the time he was removed from it. The question of the finances of India was one that would brook no delay, and he hoped that with a deficit staring them in the face measures would be adopted to balance the income and expenditure. He was persuaded that the thing not only ought to be done, but that it could be done, if right measures were adopted. To say what those measures were, required a man of vast experience, and one who possessed an aptitude for finance. He had no hesitation in declaring his firm conviction that such a man existed if only scope were given to his transcendent ability. Sir J. Laurence was a financier of a very high order. It was his custom when directing the operations in the Punjab to impress upon all under his influence that the whole system of Government depended upon the Ways and Means. He did not ask what was desirable only, but what was practicable. In that newly conquered Province, when the mutiny of 1857 convulsed the North West, and separated him from the seat of the Supreme Government, Sir John Laurence, by the financial measures which he adopted, contrived not only to meet the current expenses of his own Province, but to raise new levies for the war who had to be paid in advance, to maintain the army at Delhi, to subsidize the Ruler of Afghanistan, and in other ways to uphold the credit of England in their own territory and beyond their frontier. There was, therefore, amongst them a man not only with a head for finance but well practised in it—one who had shown his ability and stood when weaker men would have broken down—and it would be their own fault if his tried ability for finance was not enlisted in the service of the State, and that not indirectly in a position of comparative inferiority, but directly in one of definite responsibility and power. He exceedingly regretted that at a critical moment in the history of India the right hon. Baronet had failed in giving the Imperial guarantee to the loan which was to be effected. The time would come, however, when this would have to be done, and by neglecting it now an additional burden would be entailed both on India and on this country.

Mr. CONINGHAM remarked, that he also regretted that an Imperial guarantee had not been given, by which an enormous sum of money would be saved hereafter. He trusted that on fuller consideration the right hon. Gentleman would adopt a course which alone could lead to the permanent restoration of our authority and prestige in India.

Mr. HANKEY deprecated the middle course which the Government were taking by leaving matters as they were. The existence, by a legal fiction of the East India Company, which might easily have been abolished altogether, alone prevented the Indian Council from borrowing money in any part of the world. So long, therefore, as it was necessary to come to Parliament every year and ask for a special Vote in order that money might be borrowed for India the people of this country would believe that there was a quasi-guarantee by the Imperial Government. This was shown by the fact that whilst the rate of interest in India was 6 per cent, a 4 per cent loan raised in this country was at 94. No one would believe that a loan raised by the sanction of Parliament would ever be repudiated by them.

Sir CHARLES WOOD, in reply, said, he was much obliged to the Committee for the reception given to his statement. With regard to the remarks of his hon. Friend (Mr. Bright), he could not think he was open to censure for not having expressed his views upon almost every conceivable subject connected with India. It had seemed to him that he was best consulting the wishes of the House, at this time of the Session, by confining his statement to the finances of India, which certainly afforded sufficiently wide scope for debate. It was surely unnecessary to repeat the discussion which took place earlier in the Session on the general condition of India, especially when he felt that he had not been long enough in office to be quite aware of all that was going on in his department. The noble Lord (Lord Stanley) had stated that a sum of £6,000,000 was to be raised by railway debentures in the current year. That was a slight error. It was true that £6,000,000 were to be raised for railway purposes, but of this £3,500,000 would be raised by calls upon the shareholders, and only about £2,500,000 by debentures. The hon. Member for Birmingham said that he represented the debt of India at £100,000,000. Now the debt was so large already that no one need exaggerate its amount. It was not however quite so bad as this. What he had said was, that before we were finally clear of the charges entailed by the mutiny the debt of India would amount to upwards of £100,000,000. This estimate, of course, included the sum which we should have to borrow next year, and probably in the course of the year following. With regard to Sir Charles Trevelyan, he could assure the Committee that he had no indisposition to support him in the very useful reforms which he would, no doubt, introduce into the Presidency. Sir C. Trevelyan and he were old friends. On previous occasions he had had to defend him against unfounded attacks. Sir Charles Trevelyan would no doubt bring great knowledge and great zeal to bear upon the administration of affairs in Madras, and if he only tempered his zeal with discretion he would be a most valuable public servant. The hon. Member (Mr. Bright) had spoken, he thought, in undeserved terms of the Earl Canning. At the time of his appointment the noble Lord was a Cabinet Minister of known ability, and the mode in which he had conducted the government of India under the most arduous circumstances in which a Governor General was ever placed merited the warmest approbation of his fellow countrymen. He would not follow the hon. Member for Poole (Mr. Danby Seymour through the various taxes to which he had referred, but would merely remark that he had not imposed any taxes nor was it known to what conclusion the Indian Government would come on the various points to which the hon. Member had referred. He was not of opinion that a poll tax would be a popular one, there was already a tax of that kind in the Province of Pegu, and he thought that it should be done away with as soon as possible.

Resolution *agreed to.*

Resolved,

"That it is expedient to enable the Secretary of State in Council of India to raise money in the United Kingdom for the Service of the Government in India."

House resumed.

Resolution to be reported *To-morrow.*

SETTLED ESTATES ACT (1856) AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time."

Sir JOHN SHELLEY said, he should object to the Bill being proceeded with after twelve o'clock. There was a strong feeling against the Bill.

Mr. WHITESIDE remarked, that he could not see why the Bill might not be considered. The object of the Bill was to remove a clause which was inserted in the Settled Estates Act for no other purpose than to prevent one English gentleman—Sir Thomas Wilson—from ever applying to be heard in a court of justice. The reason assigned for directing such a clause against Sir Thomas Wilson was that he intended to enclose Hampstead Heath; the fact being that he no more intended to enclose that heath than he did to enclose the moon. He had a letter from Sir Thomas Wilson, disclaiming any intention of building on Hampstead Heath. The clause which this Act was intended to repeal was a disgrace to the Statute-book, as by it Sir Thomas Wilson was excluded from obtaining the justice which was the right of every other subject.

The ATTORNEY GENERAL said, that the memory of the right hon. and learned Gentleman was singularly inaccurate in relation to this subject. In the first place, Sir Thomas Wilson was excluded from building upon the heath by express prohibition in the settlement by his father's will. [Mr. Whiteside and Mr. Malins: No, no.] At any rate, his intention to build on the heath was pretty plainly indicated by his petition for Parliamentary powers to enable him to do so, which was, however, refused. The right hon. Gentleman also forgot that he (Sir R. Bethell) co-operated with him in carrying out the views which he had previously expressed. He (Sir R. Bethell) had proposed the clause only as an exponent of other persons; personally, he was sorry that the clause was inserted in the Bill. He was glad to hear from the right hon. Gentleman so express a disclaimer of intention on the part of Sir Thomas Wilson to build on Hampstead Heath.

Sir MORTON PETO moved the adjournment of the debate.

Mr. W. WILLIAMS seconded the Motion, which was agreed to without a division.

Debate adjourned till *To-morrow.*

METROPOLITAN POLICE BILL.

LEAVE. FIRST READING. ADJOURNED DEBATE.

Order read, for resuming adjourned Debate on Question [28th July],

"That leave be given to bring in a Bill to extend the provisions of the Metropolitan Police Act for the prevention of obstructions from Advertisements in the Highways of the Metropolis."

Question again proposed.

Debate *resumed.*

Mr. COWPER, in moving for leave to bring in a Bill to extend the provisions of the Metropolitan Police Act, for the prevention of obstructions from advertisements in the highways, stated he did not intend to press the Bill, as it was not likely to be carried at this period of the Session.

Question put, and *agreed to.*

Bill *ordered* to be brought in by Mr. Cowper and Mr. Puller.

Bill *presented,* and read 1°.

DARTMOUTH WRIT.

MR. PALK said, he rose to move that a Writ be issued for the election of a Member for the borough of Dartmouth in the room of Mr. E. W. H. Schenley, whose election had been declared void.

Motion made, and Question proposed,—

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Dartmouth, in the room of Edward Wyndham Harrington Schenley, esquire, whose election has been determined to be void."

SIR JOHN SHELLEY said, the notice he had given of a Motion that no new Writ should be issued in case of a return declared void on the ground of bribery, until the House should have considered the evidence given before the Committee had no reference to this or any particular case; but he thought it was the duty of the House to be cautious in issuing a Writ in such cases. He, therefore, moved that the Writ for the borough of Dartmouth should be suspended till the House had considered the evidence on which the decision of the Committee was founded.

Amendment proposed,

"To leave out from the word 'That' to the end of the Question, in order to add the words, 'no Writ do issue for the Borough of Dartmouth until the House has had an opportunity of considering the evidence taken before the Committee which has declared such Election to be void on account of bribery,'" instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. ROEBUCK: I understand that several applications for the Chiltern Hundreds are about to be made to the noble Lord at the head of the Government by hon. Gentlemen who have been petitioned against on the ground of bribery, but I trust that any applications on the part of persons who seek in this way to escape exposure before a Committee will not be acceded to. Some time ago the public were warned that great corruption had been practised by Gentlemen sitting on these the Opposition benches; but I am sorry to say that, by discoveries recently made, it has been found that corruption has taken place on that the Ministerial side of the House; and the remarkable feature of the case is, that noble Lords and right hon. Gentlemen are sitting on the benches opposite in consequence; for I believe that pretty nearly the whole number of their majority have been disfranchised since inquiries have been instituted, and that they have been disfranchised because of bribery. Why, Sir, the whole country was startled, "the isle was frighted from its propriety," by the statement which was made by the virtuous Gentlemen opposite. It was said that a noble Lord and right hon. Gentleman had subscribed, combined, and conspired for the purpose of bringing a majority into Parliament. Upon which side does the imputation rest now? Having warned the noble Lord of the applications which I am told are about to be made to him, I wish to make one remark upon the conduct of Committees of this House, who find that bribery has been practised by the agents of Members of this House. Now, I have no such faith in mankind as to believe, that out of mere charity or love for any human being, a man will spend £2,000 or £3,000 in bribery. I say, therefore, that our Committees are too cautious by half. When they discover that £3,000, or £4,000 has been spent in order to seat a Gentleman in this House, I think they would be quite safe in assuming that it is by the direction of that hon. Gentleman himself. ["No!"] No! Is there anybody of such a soft disposition, with so soft a head and so tender a heart, as to fancy that there is a man in existence so wild in his charity as to give £2,000 or £3,000 in order to seat a Gentleman, that Gentleman knowing nothing about it? Why, the statements which have been made within the last ten days before Committees of this House are enough to shock the feelings of the country at the conduct of a party which calls itself Liberal, and a great number of whom I recollect in the year 1830, raising a great outcry against the corruption of the ancient Parliaments. Why, Sir, there was nothing ever done in the ancient Parliaments worse than has been done in this. I do say, then, that it behoves this House to take into its most serious consideration how it can by any possibility stop this evil, and I entreat hon. Gentlemen who are sitting on our Committees to have the courage to be honest, and not to add base hypocrisy to the horrible corruption which now prevails. I repeat, Sir, that it is base hypocrisy for any one to say he can believe that a man is seated at an expense of £6,000 or £7,000 without knowing that such money has been given for the purpose.

SIR GEORGE GREY remarked, that he had not heard any reason assigned by the hon. and learned Gentleman why the Writ should not issue. The hon. and learned Gentleman might remember the St. Alban's case, when the House thought there ought to be further inquiry, and when a Commission was appointed. Subsequently to that, the 15th and 16th *Vict.* gave Committees the power of making special reports, and then, upon a joint Address of both Houses reciting the Report of the Committee that extensive bribery prevailed, a Commission might issue, which Commission was armed with the power of summoning witnesses and taking evidence on oath. In the present case, looking at the Committee's Report, he supposed they had reason to believe that extensive bribery did not prevail. In the cases of Wakefield and Gloucester, it would not be right to issue Writs without seeing the evidence, and then it would be open to the House to move an Address for the issuing of a Commission. With regard to the case of Dartmouth, however, even if the Writ were postponed until the evidence was before the House, the Committee having made no special report the House would remain powerless, unless his hon. and learned Friend brought in a Bill to authorize a Commission, armed with the necessary powers, to sit and inquire in this particular borough. If there were no reason to believe that the Committee had perpetrated a grievous error, which was only to be remedied by a special Act, the issue of the writ ought not to be postponed. The remarks of the hon. and learned Gentleman were somewhat premature, for very few Committees had yet been appointed in which the seats on the Opposition benches were impugned, and it was not at all clear that all the corruption was on one side.

Mr. LEFROY said, that as Chairman of the Dartmouth Committee, he wished to make one or two remarks. Seven or eight witnesses had been examined, and it was proved that some voters absented themselves, or had accepted money—these cases amounted to three or four at the utmost. The Committee proceeded no further, all defence of the seat having been abandoned. No proof of general corruption, however, having been given, the Committee did not think it necessary to order the evidence to be printed. The House had the case before them, and the Committee did not wish to take an active part on one side or the other.

Mr. PALK said, he believed that no borough had been purer than Dartmouth hitherto, and a few isolated cases of bribery ought not to interfere with the general character of the borough. The House were bound to pass laws that were plain and could be understood, instead of those complicated Acts which often rendered it impossible for a man not knowing a town, or its inhabitants, to escape the imputation of bribery. In the present the town had been canvassed by a young gentleman who, in consequence of his ignorance, had certainly done some acts which could not be defended, but there was certainly no reason why the writ should not issue. He hoped the hon. Baronet would persevere in the course upon which he had entered, but that he would select a better case than that of Dartmouth.

Mr. E. P. BOUVERIE said, he agreed in thinking that the writ ought to issue. This was the first case since the Committees sat, and he hoped it would guide the House. The distinction made by the Chancellor of the Duchy of Lancaster was the only true and sound one, for it would be a serious evil if, in cases where there was no report that the bribery was general, the House should be troubled with these discussions. The hon. and learned Member for Sheffield had accused hon. Members, sworn at the table to do justice, of hypocrisy in not finding the Members themselves guilty of bribery. It was quite sufficient for any one to be accused of an offence for the hon. and learned Member to pronounce him guilty. An Election Committee, however, required proof of such a charge. The hon. and learned Member was too fond of accusing others, and too ready to believe them guilty. He believed that if any hon. Member stood up and declared the hon. and learned Gentleman to be guilty of acrimony, injustice, and unfairness, the hon. and learned Gentleman, however unjust the charge might be, would be ready to believe it of himself. He (Mr. Bouverie) thought it most undesirable to make the House a court of appeal against the decisions of Election Committees. The real source of the evil was the loose law of agency, by which persons often innocently committed acts which were deemed illegal, involving the sitting Members in the responsibility of those acts, although they might be entirely ignorant of them.

Lord FERMOY said, that although the legal evidence might be deficient, he thought that the House was warranted in assuming that a great deal of bribery had been practised at the last election for Dartmouth. The Committee had been prevented from investigating the matter thoroughly by the retirement of the Member, but the Committee spoke of large sums which had not been applied to the legal expenses of the election, and which, the presumption therefore was, had been applied illegally. That was sufficient ground for postponing the issue of the writ, and instituting a most searching inquiry into the whole case.

Mr. WHITESIDE said, he thought that the right hon. Gentleman (Sir G. Grey) had correctly laid down the rule, but that where there was anything tangible to show that a considerable amount of corruption had been practised, the House ought to oppose the issuing of the writ. He differed from those who complained that the law of agency was too loose. It ought to be loose. Where a number of agents busied themselves in an election they usually had good reason for being busy.

Sir JOHN SHELLEY said, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Ordered,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Dartmouth, in the room of Edward Wyndham Harrington Schenley, esquire, whose election has been determined to be void."

House adjourned at half after One o'clock.

HOUSE OF LORDS,

Tuesday, August 2, 1859.

Minutes.] Public Bills.—1ª Universities Incorporation Act Amendment; Income Tax, &c.
2ª Westminster New Bridge; Dwellings for Labouring Classes (Ireland); Local Government Supplemental; Colonial Legislatures Power of Repeal; Barbuda Government; Marriages (Lisbon).
3ª Divorce Court.

BUSINESS OF THE SESSION.

QUESTION.

The Earl of DONOUGHMORE asked the President of the Council whether he was in a position to give the House any additional information on the subject to which his noble Friend (the Earl of Derby) had called his attention on the previous evening—namely, the course which Her Majesty's Government proposed to take with reference to Bills which had not yet received a second reading in their Lordships' House.

Lord Fermoy

Earl GRANVILLE said, there were, as his noble Friend was aware, only two of those Bills on which any discussion was likely to arise. With one of them the Catholic Charities Bill, it was not the intention of the Government to proceed this Session. They would adopt the suggestion of his noble Friend (the Earl of Derby), and bring in a Continuance Bill, instead of asking their Lordships to discuss a permanent measure at this period of the Session. The other, the Endowed Schools Bill, was not a Government measure. The second reading was fixed for Thursday; and he should wait till he saw whether there was a prospect of any serious opposition being offered to it before he made any further statement with respect to the intentions of the Government.

THE BUILDERS' STRIKE.

OBSERVATIONS.

Lord BROUGHAM wished to know whether the attention of the Government had been called to the combination of workmen in the building trade which had taken place? For his own part, he deeply deplored that proceeding, and highly disapproved of it. If, as seemed to be the case, the object of the movement was to obtain, by means of combination, ten hours' wages for nine hours' work, nothing could be more utterly absurd and more inconsistent with justice as well as common sense. He now advised any persons concerned against any movement of the kind. And he spoke upon the subject with greater confidence, he gave his advice to the workmen with greater earnestness, because he had always been their steady and zealous supporter when they were in the right. They had always, as they well knew, a friend in him. He had consistently supported the abolition of the Combination Laws, and had done all in his power to make legal combination free, and to get rid of all the trammels to which workmen and employers had been previously subject. He had always maintained that workmen were entitled to combine for proper objects, provided the combination left all those who did not choose to join it free to work for such wages, and for as many hours and generally on such terms as they thought proper. But if he was correctly informed, that was by no means the plan of operation adopted by the parties who were at present combining. He hoped it was not true as he had heard from a highly respectable quarter, that improper influences were being exerted upon those who refused to join this combination. If it were true that a system of coercion was resorted to, such a circumstance was deeply to be lamented, and those who violated the law which protected workmen ought to be most severely punished; it would be most merciful, not only to those who combined, but to those who did not combine, to execute the law rigorously —mercifully, no doubt, but strictly and with severity. But he trusted that out of these calamities a very great good might come, which he had long been anxious to obtain. He had always regretted that certain alterations of the law which he had often propounded had not yet been effected—he meant Courts of Reconcilements. It was impossible to read the annual report of the French Courts of Conciliation without wishing to see some analogous provisions in our own law brought to bear upon these combinations and disputes which were sometimes carried to a great extent between master and man. He had in his hand a report of 1850 of the proceedings of the *Conseils des Prud'hommes* which were established in many manufacturing towns in France, and which regulated these disputes by consent of the parties. By seeing the parties, and by arbitrating between them, the *Conseils des Prud'hommes* regulated these disputes in a most happy manner. In 1850 they had no less than 28,000 disputes of all kinds before them, including disputes between masters and men. Of these no less than 26,800 were satisfactorily settled without any litigation. The remaining 1,200 cases stood over for a while, but before six weeks were over a great number of the parties came in and accepted the terms recommended. From another report he learned that only one-fourth of the entire number of cases brought before the Courts were left finally unsettled in accordance with their decisions. He had received many communications from those who were well acquainted with the various manufacturing districts in this country, for some of his informants were workmen themselves, who stated that there was a design on foot—if it were found that Parliament would not listen to a proposition to do it by law, and without saying that Parliament was not justified in that decision—to establish a general central association, with branches in different manufacturing towns, and to introduce by degrees the foreign system to which he had referred. He should give his entire countenance and favour to that proposal. He was told that there were 90,000 workmen affected by this strike—not all builders, but carpenters, painters, and others connected with the building trades. There was, therefore, great reason to hope that this strike would come to a speedy termination, and it was their duty to find some means which would prevent even the chance of such an occurrence in future.

EARL GRANVILLE said, that the attention of the Government had been drawn to this lamentable subject. It was, of course, the duty of the authorities to provide against anything like a breach of the peace, and so far as it was competent for the Government to interfere for the purpose of preserving peace and order they would do so. But this was just one of those cases in which speaking and writing could do more good than any action on the part of the Government, and he knew no one who had a better right to address the working classes on this subject than his noble and learned Friend, who had uniformly laboured to promote the legitimate interests of the working men of this country, and who had successfully exerted himself to amend the unjust legislation which formerly prevented any combination of workmen for equitable and reasonable objects. It was impossible to deny that the power which workmen now had to combine and to "strike" must exercise a wholesome influence on the masters. Still, the justification of any particular strike, like that of a war, depended on all the circumstances that belonged to it. It was criminal in men to strike without good and sufficient cause, because, if there was not good foundation for so doing, and grounds which enlisted popular support in its favour, they inflicted an injury not only upon themselves but upon their families and upon the whole community. He was not acquainted with the particulars of the dispute between the masters and men in this particular strike, but if the reasons put forward for it in public were the true ones, it was one of the most unjustifiable that could be imagined, and could only end in the infliction of very great injury on the operatives themselves. He said this after reading the very reasons that had been specially put forth to justify it. Their object was stated to be to reduce the hours of labour from ten to nine, receiving the same wages as if they had worked ten hours, and the object in view was to give labour to a large number of the same class of workmen who were now out of employment. It was impossible to believe that any combination of this sort could succeed. If it did succeed what would be the result? Wages could only be paid out of the capital of the employers, and by diminishing the number of working hours and paying the same wages the employer could not afford an extra shilling to those who were now out of work. He believed that the men raised the objection that the master builders were making too large a profit. If that were so, did it not invariably follow that when persons engaged in a particular trade were making too large a profit other capitalists came into that trade? The result was that the competition for labour was increased, and the workmen were perfectly certain to have the wages to which they were entitled. If, on the other hand, they forced the capitalist to receive less than the profit made in other trades, what was the result? Other capitalists were deterred from coming into that trade, some who were already in it went out, and the whole available capital for carrying on that trade was diminished, and the demand for labour in that trade diminished. The noble and learned Lord had suggested as a sort of remedy for strikes the establishment of tribunals similar to the French *Conseils des Prud'hommes.* He (Earl Granville) was afraid, as far as this particular case was concerned, that those *Conseils* would not be applicable, inasmuch as their greatest use in France was in determining disputes relating to past contracts; but by their constitution they were precluded from taking into consideration any question touching future contracts. He might remind their Lordships that several Committees of the House of Commons had investigated this question. In one of those there was a division of opinion, and the majority of the Committee eventually adopted a report, drawn up by his (Earl Granville's) brother, who then represented a borough in Staffordshire, recommending the establishment of courts of arbitration, but strictly confining their functions and operation to questions turning upon past contracts. It was a question deserving the consideration of their Lordships whether it would be desirable to legalize such courts of arbitration. But he thought, after all, that they must rely for the prevention of strikes and the settlement of disputes between masters and workmen chiefly on the experience of the workmen themselves in matters so materially bearing on their own happiness, and still more on their progressive enlightenment as a body by means of an improved education. If the noble and learned Lord was rightly informed, that 90,000 working men would be affected by the strike in question, it was a deplorable circumstance, for each of those men would be, on an average, in the receipt of £1 a week at least, and many of them more than that, so that the loss in wages alone while the strike lasted, not to mention the loss of capital, would be at the rate of about £5,000,000 a year. He concluded by expressing a hope that those who by their position had influence over the men on strike would use it to moderate instead of stimulating their demands.

The Earl of DONOUGHMORE said, he was afraid it was impossible to prevent these unfortunate strikes. Nothing but the increasing knowledge and experience of the men themselves would put an end to them. When the operatives were better instructed in the circumstances affecting the relation between employers and employed they would know that the whole question was involved in the larger question of supply and demand; and that for masters to endeavour to diminish wages, or for the men to endeavour to raise them, contrary to that law, must ever be futile. He thought it would be desirable if they could establish some courts similar to the French *Conseils des Prud'hommes,* to consist of persons of different trades, for the purpose of deciding disputes between masters and men as to past contracts. He did not see how it was possible to arbitrate between masters and workmen as to future contracts; but for past contracts people in trade would be able to arbitrate on mere trade questions and technical subjects far better than the magistrates, who knew little or nothing of the subject in dispute. At all events he hoped that some plan would be adopted for the settlement of such questions.

Lord BROUGHAM said, that much would depend on care being taken to enlighten the workman, by giving him information that would be neither partial nor prejudiced. A great portion of the difficulties which had to be encountered under the existing state of things was owing to the ignorance of the working classes which left these unfortunate men in the hands, and he might say at the mercy, of a few leading agitators. The principle had been most accurately and justly stated by his noble Friend the Lord President; but the noble Earl would forgive him for saying that he had heard it laid down quite as distinctly and correctly at the last meeting of the Social Science Congress by a workman belonging to one of the midland counties. His opinions were embodied in the shape of an address to his brother workmen, with a view of dissuading them from certain strikes which they were contemplating; and in that very admirable pamphlet the subject was discussed on the soundest and fairest principles. Since then an answer had appeared from those who were in favour of strikes; and this same working-man, J. Plummer, had now come forward with a reply which left his opponents nothing to say, and which was quite equal in merit to the original publication.

The LORD CHANCELLOR said, where parties who were all free agents entered voluntarily into a strike they might be considered to do an act which was innocent in point of law. He was induced to say so much in explanation of a remark made by his noble Friend the President of the Council as to the innocence of strikes, which he was a little afraid might be misunderstood. Unfortunately, in many instances of combination among workmen, agitators who were in the majority obtained an ascendancy over their fellows, and in that way the minority were coerced, not only morally but physically, and men who would be otherwise disposed to work were prevented working at all, or, if they insisted on doing so, they were marked, and frequently assaulted. He would state to the House the opinion on this subject of one who was no enemy to the working classes—the late Daniel O'Connell. That gentleman told him confidentially, but in a melancholy tone, that strikes had been the ruin of Ireland; that in consequence of trade combinations manufactures could not flourish in that country; that manufactures had been going on prosperously till those trade combinations put them down, causing the ruin first of the employers and then of the people.

DWELLINGS FOR LABOURING CLASSES (IRELAND) BILL.—SECOND READING.

The Earl of DONOUGHMORE moved the second reading of this Bill.

The Duke of LEINSTER expressed his approval of the measure, and referred to the gratifying improvement in the condition of Ireland.

The Earl of LEITRIM said, he would not oppose the second reading, but the Bill in its present shape gave power to charge the inheritor of the estate with unlimited sums by the act of the tenant for life; and he contended that the inheritor ought not, through the operation of this Act, to be placed in a worse position than he had heretofore been. The improved condition of Ireland, he maintained, was owing not so much to national prosperity as to the results of the depopulation consequent on the famine, and it was expedient that some restriction should be placed upon the power of holders of property to throw burdens on the estate of the tenant in tail by the erection of cottages.

Viscount DUNGANNON thought the Bill would operate beneficially by encouraging the erection of Houses for the poor in Ireland.

The Marquess of BATH said, this was one of a number of Bills which imposed upon the tenant for life of settled estates an incumbrance which was to be transmitted to his successor, to his serious detriment. He would not, however, oppose the Bill at this stage.

Lord REDESDALE also expressed his disapproval of this species of legislation, which imposed a heavy and unremunerative burden upon settled estates.

The Earl of DONOUGHMORE explained and defended the provisions of the measure.

The Duke of NEWCASTLE observed that upon the understanding that the measure must be regarded as wholly exceptional, and owing to the peculiar circumstances of Ireland, he would not, on the part of the Government, oppose the second reading. He had, however, hoped the day had gone by for exceptional legislation towards Ireland.

Bill read 2^a, and *committed* to a Committee of the whole House on Thursday next.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
Half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, August 2, 1859.

Minutes.] Public Bills.—3° Income Tax, &c.; Court of Probate, &c., (Acquisition of Site) (No. 2).

POLICE (COUNTIES AND BOROUGHS) LAW AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Mr. HOWES rose to move that the following clause be inserted after Clause 1:—

> "That Chief Constables appointed and to be appointed in counties, under the Acts of the 2nd & 3rd of *Vict.*, c. 93; the 3rd and 4th of *Vict.*, c. 88; and the 19th & 20th of *Vict.*, c. 69, shall be styled County Commissioners of Police."

Mr. G. CLIVE said, he saw no reason for a change in the name; at the same time, the Government had no objection to the alteration.

Mr. HOWES said, he thought the alteration in style would avoid the great inconvenience which now prevailed, and that it would enable the county and borough police to work more in harmony together.

Mr. E. P. BOUVERIE remarked, that the change in name was a very small matter; still the name of constable was better known to the public, and constables had distinct rights and duties which should not be confounded with other names, for as Commissioners they would have no duties as such.

Mr. SOTHERON ESTCOURT said, he thought that the object aimed at by the hon. Gentleman could be better attained simply by altering the name of "Chief Constable of Boroughs," and not attempting to change the designation of the Chief Constables of Counties to that of Commissioners of Police.

Mr. HOWES said, the reason he had moved the Amendment was to prevent the confusion and jealousies that existed between the county and borough police force.

Mr. G. CLIVE said, he had certainly received some communications showing that there was much inconvenience arising from mistakes in the opening of letters by the one force which were intended for the other.

Mr. JOHN LOCKE said, he did not think there was much in the objection urged by the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) because there was a Commissioner and a Chief Commissioner for the City of London.

Sir GEORGE LEWIS said, this was not a very important question. He had received letters stating that sometimes inconvenience did occasionally arise, and it was thought by some that the heads of the county police should be called "Commissioners." By introducing that title they would not be introducing anything new, for it was now used in several cases where the parties did not hold commissions from the Crown.

Mr. HENLEY opposed the clause. It was almost absurd that the Committee should be discussing such a question. He thought it would be better to change the title of the Chief of the Borough Police to that of "Head Constable."

Mr. WISE said, the term "Commissioner" was essentially of French origin, and the term "Constable" was thoroughly English, and therefore he should vote for the latter. They ought to think more of the people and less of the wishes of the police.

Sir GEORGE LEWIS said, as the point involved was of no great importance, he would suggest to the hon. Gentleman to withdraw the Amendment. Although he (Sir G. Lewis) was rather favourable to the proposed alteration, nevertheless as it had provoked so many objections, it was not worth while to sacrifice more of their time by discussing the matter.

Motion *negatived.*

Clause 2 *agreed to.*

Clause 3.

Sir WILLIAM MILES said, he wished to move the omission of the words in parenthesis in lines 13 and 14. It was his intention to move the addition of a clause, which would give effect to the alteration he proposed.

Sir GEORGE LEWIS said, he would assent to the Amendment, upon the understanding that the hon. Gentleman would move a new clause.

Clause, as amended, *agreed to;* as were Clauses 4 to 16 inclusive.

Mr. DARBY GRIFFITH said, he rose to move the addition of the following clause:—

> "The high sheriff of any county may agree with the justices of the peace for such county for the employment of the police constables in lieu of javelin men at the assizes, and thereupon the chief constable, on the requisition of the high sheriff, shall place under his orders a sufficient number of such constables to keep order in and within the precinct of the Court of Assize, and upon such agreement being entered into as aforesaid, it shall be lawful for the high sheriff to discontinue the employment of javelin men.

The practice which he wished to establish by this clause obtained already in Hampshire, Lincolnshire, Westmoreland, and partially in Northamptonshire, and it not only considerably diminishes the expenses of the high sheriffs, but had proved satisfactory to the judges, as well as to all persons concerned in the administration of justice at the assizes.

Clause *brought up*, and read 1°.

Mr. WISE said, he thought the hon. Gentleman proposed to take a very unusual course. A few hours ago the House rejected a Bill which would practically have effected to a great extent the object contemplated by this clause, and he now endeavoured to attain that object by bringing up a clause which was not at all germane to the Bill under discussion. He (Mr. Wise) thought it was not right or just to propose such a clause after the distinct pledge which had been given to the House that a Select Committee should be appointed at the commencement of next Session to inquire into the whole question of the expenses of high sheriffs.

Sir WILLIAM MILES said, that such a proposition as was embodied in this clause had been made to the magistrates of the county he had the honour of representing (Somersetshire), and had been rejected by them. It was evident that the employment of the police in lieu of javelin-men might be suggested to courts of quarter sessions, who could deal with the question as they thought fit, and therefore he deemed this clause entirely unnecessary.

Mr. HENLEY said, he did not agree with his hon. Friend in considering the clause unnecessary, because there was an Act of Parliament in existence which required the employment of javelin-men by high sheriffs. In his opinion the clause would prove advantageous, because it would enable each county to determine for itself whether javelin-men should be employed, or whether they should be superseded by the police force.

Sir GEORGE LEWIS said, that with reference to the observations of the hon. Member for Stafford (Mr. Wise), notice had certainly been given by an hon. Gentleman of his intention to move next Session for a Committee to make certain inquiries as to the office of high sheriff, but he was not aware that anything had been said on the part of the Government amounting to a pledge, or even an understanding, that such a Committee should be appointed. For his own part, he could not see that there was anything objectionable in the clause, which was merely permissive, and he apprehended that, under the existing law, chief constables would not have the power of placing the police under the orders of the high sheriffs.

Sir GEORGE GREY said, the clause appeared very loosely and inaccurately worded, and would require to be very much altered even to effect the object which the hon. Gentleman had in view.

Mr. E. P. BOUVERIE suggested that the clause should be withdrawn, and a new clause drawn up.

Mr. DEEDES said, he thought that the clause might work inconveniently in respect to the will of the High Sheriff and the dictum of the Judge. The former might desire to get rid of the javelin-men, and thereby to save himself from what he might consider an unnecessary expense; but the latter, on the other hand, might require the observance of the usual customs in regard to the javelin men at the assizes.

Question put—"That the clause be read a second time."

The Committee *divided*:—Ayes 95; Noes 53: Majority 42.

Two additional clauses added.

Mr. DEEDES then moved the addition of this clause:—

"The chief constable of any county police force, and the watch committee of any city, borough, district, or place, is and are hereby empowered to suspend or dismiss any constable within their respective jurisdictions for misconduct or dereliction of duty; and, in case of such suspension or dismissal, all or any arrears of pay due to the said constable shall be forfeited; and the said chief constable or watch committee is and are hereby also empowered, at his or their discretion, to fine any such constable in a sum of money not exceeding one week's pay, and to reduce the said constable from a superior to an inferior rank, such fine and reduction in rank to be in addition to any other punishment to which the said constable may be liable; and all punishments, penalties, and fines, such as above enumerated, heretofore imposed or inflicted under any rules framed under and by virtue of the third section, 2 & 3 *Vict.*, c. 93, shall be deemed to have been legally imposed or inflicted."

Mr. G. CLIVE said, he thought the clause unnecessary, inasmuch as the police authorities already possessed those powers which it was the object of the proposed clause to give them.

Sir GEORGE GREY thought the Act passed in the 2nd & 3rd *Vict.* contained a provision which fully met the case which the hon. Gentleman wished to provide for.

Clause *withdrawn.*

Bill *reported*, as amended.

House resumed.

ROMAN CATHOLIC CHARITIES BILL.

COMMITTEE.

Order for Committee read.

Sir GEORGE LEWIS said, that he was desirous of giving a fuller explanation of the object of this Bill than he had been able to do on a former occasion. It would be in the recollection of the House that some few years ago a general Act was passed creating a Commission of Charities, under whose jurisdiction all the charities in England were placed, with the exception of Roman Catholic charities, as it was objected that in their case certain trusts might be disclosed which would lead to questions of law. There not being time to consider the matter fully then, the course was resorted to of excepting the Roman Catholic charities from the operation of the Bill for two years, on the understanding that the subject should meanwhile receive consideration of Parliament with the view of introducing enactments to meet the case of these charities. Those two years expired, however, without any special legislation, and there had since been several successive annual exemptions. The question now to consider was, whether the House at the present period of the Session could deal with the case, or whether the practice of renewing the annual exemption should be repeated. One course that might be pursued was to assimilate the law with respect to Roman Catholic charities in England to that which obtained in Ireland and Scotland, to which countries the invalidity attaching to trusts, which the law of England called superstitious, had never been extended. Under these circumstances, if the House was prepared to adopt that course, he did not see that it could be said that any state of things would be introduced which was unprecedented or unauthorized by practice; but as there was always a great objection to make alterations in laws which had existed for a long period of time, the present Bill, framed upon a principle which he understood received the approbation of a large portion of the Roman Catholic body in England, had been brought in. The principle on which it was founded was to prevent any Roman Catholic endowment being, if he might use the expression, tainted or rendered invalid by the doctrine of superstitious uses, and for that end to give to the Court of Chancery or the Charity Commissioners power to convert every trust not recognized by the law into a legal trust, preserving the existing charities for the Roman Catholic body, but in certain cases altering their destination. He had hoped that this measure might have been passed before the close of the Session, but from communications which he had received he found that that hope was not likely to be fulfilled. He understood that there existed no exact agreement between professional authorities as to the state of the law, and also that there was a great discordance of opinion as to what would be the effect of a measure like the present giving great powers to the Court of Chancery and the Charity Commissioners. Under these circumstances he did not feel disposed, unless he found more unanimity in the House on the subject than he believed to exist, to press the Bill forward during the remaining fragment of the existing Session. He was the more encouraged to refrain from doing so by some remarks made in "another place," intimating that it was not possible for both Houses to consider the Bill properly in the present Session. He trusted, then, that if he introduced a Bill simply to continue the exemption for another year, it might be allowed to pass without objection, and he entreated hon. Gentlemen to consider this question in the meanwhile with a view to come to some practical settlement in the next Session of Parliament. It might be possible that valid objections could be made to the present Bill, but, at all events, it was a *bonâ fide* attempt to settle a very difficult question, and he believed it to have met with the approbation of a very considerable portion of the Roman Catholic body. ["Hear, hear!"—"No!"] That manifestation of opinion did not augur very favourably for future unanimity on the subject, but he hoped hon. Gentlemen who understood the difficulties of the question would approach the discussion of it next Session with a disposition to remove all obstacles which were not inherent in the subject, and to devise some satisfactory measure. He would now move that the order for committing the Bill be discharged.

MR. SOTHERON ESTCOURT said, he heard with great satisfaction the announcement of the right hon. Gentleman in regard to this Bill, as he thought that a measure touching such delicate questions as those of religion and conscience should be brought in at a time when the House would be prepared to devote more time to its calm and dispassionate consideration. These annual continuance Bills exempting Roman Catholics from the operation of a general law were no doubt looked upon as objectionable, and the hon. and learned Member for Dundalk (Mr. Bowyer) had been called on to afford his assistance in the framing of a satisfactory measure on the subject. That hon. and learned Gentleman had given them a notion of the measure which he thought ought to be introduced, but it did not appear to be one that was likely to produce the effects desired. He (Mr. S. Estcourt) did not think that any settlement of this question could be satisfactory which would not satisfy the feelings of those that were to be exclusively affected by it. They ought to show a considerable indulgence to the religious feelings of those who would be affected by such legislation, not only prospectively but retrospectively. He was glad to hear that a Bill on the subject would be introduced next Session. If the hon. and learned Member for Dundalk, or some other Member of the same persuasion, would but frame a Bill on the subject, such Bill, as well as that of the Government proposition, might be sent before a Select Committee, who would be able to decide the matter in a much more satisfactory manner than perhaps the House would be able to do.

Mr. BOWYER said, he was glad to hear the announcement just made by the right hon. Gentleman the Secretary for the Home Department. He had endeavoured to place his views on paper as to how this question ought to be dealt with. Some Roman Catholics of the north of England, stated their own views in a petition to the House, but the right hon. Gentleman struck out a different course altogether in framing this Bill, which, in his opinion, was a highly objectionable one. The great objection to the Bill was, that it gave for the first time a legislative sanction to the law commonly known as the law of superstitious uses, in respect to which a question might still be raised before the House of Lords on appeal. There was a period when the Roman Catholic religion was altogeter illegal, but Roman Catholics were now placed upon an equal footing with Protestants, and he contended, therefore, that any religious practice pertaining to the Catholic Church ought not to be stigmatized by the law of England, if it involved nothing offensive or injurious to those who did not belong to that Church. He maintained that the law of superstitious uses was highly objectionable, and any Bill which had the effect of giving renewed legislative sanction to that law would be highly offensive to Her Majesty's subjects of the Roman Catholic religion. All the Roman Catholics asked was, that the Legislature would leave them to manage as they thought fit their own property, which was applied exclusively to the purposes of their own Church. He would assume that the Legislature were determined to subject Roman Catholics, with reference to charitable trusts, to the control of a Commission, as had been done in the case of Protestant charities; but if Catholics were subject to the same jurisdiction as Protestants with respect to administration, they ought in fairness to be placed under the same law. Parliament ought to cure those defects of title which arose from a system of law now obsolete, so that Catholic property might be placed under the control of the Commissioners without any danger. He hoped that next Session, in conjunction with some of his hon. Friends, he might be enabled to lay upon the table a Bill embodying the views of Roman Catholics on this subject, and he trusted that if such a Bill and any measure that might be prepared by the Government were submitted to a Select Committee, it might not be difficult to arrive at some satisfactory conclusion.

Mr. HUTT expressed his surprise at the course now proposed to be taken by the right hon. Gentleman. He had so frequently heard of there being no time for the enactment of a special measure on the subject, and that it would be therefore necessary to renew this exemptiom Bill once more, that he was quite sick of the matter, and he confessed he had a distrust of the whole proceedings in respect to this measure. He represented a considerable body of Roman Catholics in the north of England, who were most desirous for the passing of a Bill upon this question, and it was partly in consequence of petitions which he had presented, numerously signed by the members of that body, that his right hon. Friend had undertaken to deal with the question. He had that morning had an interview with a gentleman of the highest respectability and character from the north of England, who assured him that the measure proposed by the Government would afford perfect satisfaction to those with whom he acted; and he (Mr. Hutt) must therefore express his regret that the Government did not intend to proceed with it. He was so thoroughly impressed with the necessity of legislation on this subject that he would do all in his power to prevent any further exemption of Roman Catholic trusts from the operation of the general law. Such exemption had been granted for six successive years without any attempt having been made at practical legislation on the subject, and, therefore, with the view of inducing Parliament to deal with the question, he would oppose any continuance of the exemption.

MR. SPOONER said, he had not the slightest wish to take any part in the discussion, nor to interfere with matters relating to the Roman Catholics exclusively. He wanted, however, to know why the members of that body should, in respect to charities, be exempted from the general law of the land? He believed that a very large body of the most respectable Roman Catholics in this country were in favour of some such measure as that now before the House.

MR. HENNESSY said, the hon. Member opposite (Mr. Hutt) had protested against the exemption of Catholics from what he called the general policy of English law. The hon. Member thought it was a very wonderful anomaly that this favourable exemption should have existed for the last six years. He would beg to remind the hon. Member that this was not the first time the Catholics were exempted from the general policy of English law. A toleration Act was passed after the Revolution of 1688, from which they were exempted, and for a century and a half they suffered under penal enactments framed exclusively on their account. It was, indeed, to this century and a half of anomalous penal legislation that the half a dozen years of subsequent favourable exemption may be traced. Catholic charities were still surrounded by the *débris* of the penal laws, and until a fair and comprehensive measure could be passed it was absolutely necessary to look for an annual Bill of exemptions. The thanks of the Catholics were due to Lord Derby for having last night suggested in "another place" the expediency of a further renewal of the exemption. The right hon. Gentleman the Secretary for the Home Department had expressed a hope that the Government might receive the unanimous support of the Catholic members when they brought in a general measure next year. He would take the liberty of telling the right hon. Gentleman that such unanimity would be altogether unattainable if any of the principles laid down in the first, second, or third clauses of the Bill now withdrawn were to be re-introduced. Above all, he begged to impress upon Her Majesty's Government the impolicy, and, indeed, he might say, the intolerance and injustice, of applying the phrase "superstitious" to any doctrine or practice of the Catholic Church. The time had gone by when such a phrase could be permitted to appear in any Act of Parliament. It was an insult to a large number of Her Majesty's subjects, and he was very sorry to see a Bill emanating from the right hon. Gentleman containing it. The Members of the Government, and many other Members of the House, may conscientiously believe the sacrifice of the mass to be a superstitious practice, but there was no necessity whatever for giving such belief a statutory sanction. Speaking for himself, he never would consent to pass any Bill containing such a phrase.

MR. BEAUMONT said, that as representing a considerable number of English Roman Catholics, he could state that they entirely approved the Bill which had been introduced by the Home Secretary, and the opposition to that measure proceeded exclusively, he believed, from Irish Roman Catholics, whose interests it would not affect. [*A cry of* "No."] He could only say he believed that no English Roman Catholics were opposed to the Bill. [MR. BOWYER: I am an English Roman Catholic.] It was comparatively recently that the hon. and learned Gentleman had become a convert to that faith, and that perhaps accounted for the manner in which he persevered against the Bill. He could not, under all the circumstances, blame his right hon. Friend for withdrawing the Bill, especially after intimations which had been given in "another place," but he regretted that the right hon. Gentleman should have proposed to continue the Exemption Act. He (Mr. Beaumont) would join the hon. Members for North Warwickshire and Gateshead in opposing the renewal of the Exemption Act beyond a very short period—say, one or two months after the next meeting of Parliament—because he thought it of great importance that a decision should be arrived at upon this question without any unnecessary delay.

MR. NEWDEGATE said, that six years ago he supported Sir Frederic Thesiger, now Lord Chelmsford, in his opposition to the clause which exempted the Roman Catholics of England from the operation of the general law as enacted in the Charitable Trusts Act of 1853. There were few higher authorities on all questions of this kind than the present Lord Chelmsford; and that learned personage declared emphatically that if those Roman Catholic charities ceased to be exempted from the general law no danger whatever could accrue to them. For there was no danger in

1853, and no danger now, that the Government would permit any of these Charities to be annulled under the provisions of the law against superstitious uses. They had now a distinct declaration that the Government desired that there should be no disturbance of the validity of those charities, and he felt confident he could not be doing any injustice to his Roman Catholic fellow-subjects by voting for the extension of a necessary legal protection to them; he should therefore follow the dictates of his conscience, and support the hon. Member for Gateshead in his opposition to these annual exemption Bills. The conduct of that hon. Gentleman was highly creditable to him and to those whom he represented in regard to this subject, and needed no eulogy when it was recollected from whence the opposition to the proposed legislation came. The hon. and learned Member for Dundalk (Mr. Bowyer) it was well known, was everywhere, and in everything simply the exponent of Cardinal Wiseman's policy. The evidence taken before the Committee on mortmain proved that it was the object of that person (the Cardinal) to get and to keep, if possible, in his own hands, the whole of the property in this country devoted to charitable and religious purposes by Roman Catholics. There was evidence of that fact on record, and subsequent evidence might be produced to corroborate it. This attempt was in accordance with the functions he had been sent to this country by the Court of Rome to perform. Cardinal Wiseman declared in one of his lectures, which was afterwards published by authority, that the Roman Catholics of England ought to be an organized community, apart from the rest of Her Majesty's subjects. He was not speaking of that which he did not know, and the Cardinal exercised his usurped and illegal authority to effect that object. There was ample evidence to show that the Roman Catholics of England year after year prayed the House to extend to them the benefit and the protection of the English law against the system of tyranny which was set up by Cardinal Wiseman. They had evidence before Committees of that House to show that such a system as that attempted to be established by Cardinal Wiseman would not be submitted to in France or in Spain, and had not been submitted to in Malta. The effect of the conduct of that House in reference to this question had been to leave Her Majesty's English Roman Catholic subjects exposed to a system of tyranny which would not be submitted to in the majority of the Roman Catholic States, and the effect of the exemption from British authority which was now contemplated would be to continue the same mischief. They might be told that this was no affair of theirs who were Protestants. But everything that brought their Roman Catholic fellow-subjects within the scope of a foreign authority deeply affected them. He should most heartily support the hon. Member for Gateshead in his objection to the continuance of this exemption. It was an exemption that did not give freedom, but entailed tyranny upon the Roman Catholics of this country.

Sir GEORGE GREY said, that his right hon. Friend (Sir G. Lewis) had given notice of his intention to introduce another Bill on this subject, and when that measure was laid upon the table it would be the proper time to discuss its provisions. Considering the period of the Session, and the impossibility that a Bill of this importance could receive due consideration in the other House, his right hon. Friend had no option but to move the discharge of the order for proceeding with the measure. He might express his hope that the hon. and learned Member for Dundalk would not content himself with suggesting clauses to the Secretary of State, but that at the commencement of the next Session he would lay before the House a Bill embodying his own views, and those of the gentlemen whom he represented, and it would then be ascertained what amount of agreement there was in the Roman Catholic body on this question.

Mr. KINNAIRD said, the opinion of the late Mr. Frederick Lucas was that those interested in Roman Catholic charities had, in his judgment, committed a mistake in assenting to a Bill exempting them from the law affecting the charities generally of the kingdom. He would support the hon. Member for Gateshead in his resistance to another Exemption Bill.

Order *discharged.*

Bill *withdrawn.*

BRIDGWATER ELECTION.

WITHDRAWAL OF PETITION.

Mr. SPEAKER acquainted the House, that he had this day received a Letter from Messrs. Baxter, Rose, and Norton, as Agents for Henry Clement Heard and Reuben Bond, informing him that it is not intended to proceed with their Petition, complaining of an undue Election and Return for the Borough of Bridgwater.

Colonel TYNTE said, that this was just what he had expected, although in this case, as in some others, the petitioners had thought proper not to withdraw their petition until the eleventh hour. He felt satisfied that if the inquiry had been proceeded with, the petition would have turned out to be utterly frivolous and vexatious, and he believed that it had been got up against the wishes of the most respectable of his political opponents.

Ordered, that no further proceedings be taken upon the said petition.

AYLESBURY ELECTION

REPORT.

House informed, that the Committee had determined,—

"That Thomas Tyringham Bernard, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough and Hundreds of Aylesbury.

"That Samuel George Smith, junior, esquire, is duly elected a Burgess to serve in this present Parliament for the said Borough and Hundreds.

"That Thomas Frederick Charles Vernon Wentworth, esquire, is not duly elected a Burgess to serve in this present Parliament for the said Borough and Hundreds.

"And the said Determinations were ordered to be entered in the Journals of this House.

MAIDSTONE ELECTION.

REPORT.

House informed, that the Committee had determined,—

"That William Lee, esquire, is duly elected Burgess to serve in this present Parliament for the Borough of Maidstone.

"That Charles Buxton, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Maidstone.

"And the said Determinations were ordered to be entered in the Journals of this House."

ROMAN CATHOLIC CHARITIES.

QUESTION.

Mr. HUTT said, he would beg to ask the Secretary of State for the Home Department when he proposes to introduce a Bill for continuing the exemption of Roman Catholic Charities from the jurisdiction of the Charity Commissioners.

Sir GEORGE LEWIS said, that he intended to-morrow to move for leave to introduce a Bill to continue the exemption of Roman Catholic Charities from the jurisdiction of the Charity Commissioners.

Mr. HUTT said, he begged to inform the right hon. Gentleman, that he should give to the introduction of the Bill all the opposition in his power.

Mr. Speaker

SCOTCH FISHERMEN.—QUESTION.

Mr. FINLAY said, he wished to ask the Secretary of State for the Home Department if he has received any official intimation of the probability of a riotous collision among the Herring Fishermen in Lochfyne, Argyllshire, in consequence of the systematic transgression of the Act 14th & 15th *Vic.*, c. 26, by certain Fishermen in that locality, and whether any steps have been taken to maintain the peace.

Sir GEORGE LEWIS replied, that information had been for some time before the Government with respect to the riotous disposition of the Fishermen on the west coast of Scotland; but his right hon. and learned Friend the Lord Advocate, whose attention had been directed to the matter, had reported that the Fishery Board were quite apprised of everything that was passing, and had taken all the precautions in their power to prevent a breach of the peace.

JUDICIAL STATISTICS.—QUESTION.

Mr. MONCKTON MILNES said, he wished to ask the Secretary of State for the Home Department whether it would be practicable to lay on the Table of the House the Judicial Statistics of England and Wales, which are made up to the 29th day of September each year before the succeeding Easter Recess; and whether some similar statistics for Scotland might not be appended to the said Report.

Sir GEORGE LEWIS said, with regard to the Police and Prisons Statistics, they were furnished from accounts which were made up annually for a year ending on the 29th of September, as that was the close of the official year in the Boroughs and Counties. The Commercial Statistics were made up to the close of the ordinary year on the 31st of December; but owing to the Winter Assizes there was always some delay in their preparation, but he trusted that in future they would always be ready before Easter. He might mention that our Criminal Statistics were published far in advance of those of other countries—France for example.

THE PREVENTIVE SERVICE.

QUESTION.

Mr. BLACK said, he rose to ask the Secretary to the Admiralty if there is any regulation preventing the men in the Preventive Service, Inland Revenue, from marrying, and if men have been dismissed in Scotland for this offence.

Mr. LAING stated, in reply, that a regulation did exist, not to prevent men in the Preventive Service from marrying, but to restrict employment in that service to unmarried men. The reason was that Preventive Officers had to go over an extensive district, and were required to be absent from home at least four nights in the week, and experience had proved that married men were apt to neglect their duty in order to remain with their families. Cases had occurred in Scotland in which the engagements of married men had been terminated; but the words "dismissal for an offence" could not be applied to the termination of an engagement which was made upon the distinct understanding that such was one of the conditions of the service.

NORWICH ELECTION.

QUESTION.

Colonel FRENCH said, he rose to ask a question in connection with the late election for Norwich, but as it was a matter of privilege he should in any case be entitled to precedence. It would be in the recollection of the House that at the last general election two gentlemen, Mr. Schneider and Viscount Bury, were returned for that city. A petition for bribery was presented against both those gentlemen, one of whom, Viscount Bury, subsequently accepted office under the present Government. The attention of the House was expressly called to the inconvenience of issuing a new Writ while the petition against the former election was pending, but, nevertheless, it directed that a new Writ should be issued, and at the second election Viscount Bury was again returned. Two petitions were presented against that return, and they were referred to the Committee by whom the first petition was to be tried, but on the understanding that they were not to be proceeded with, so that in fact the only petition before the House was the original one presented against Viscount Bury and Mr. Schneider. The Committee to which that petition had been referred had decided that both those gentlemen had been guilty of bribery through their agents, and that consequently the original election was void. The question he wished to ask Mr. Speaker was this:—By the 36th section of the Corrupt Practices Act it was declared that no candidate who should be found guilty of bribery by himself or his agents should be capable to sit for the place in which the bribery had been committed during the Parliament then in existence. This was a very peculiar case, because at the time the House agreed to the issuing of the second writ, Viscount Bury had not been declared incapable of sitting, but since that time the decision of the Committee by which the noble Lord was declared guilty of bribery, through his agents, had been arrived at. This decision, coupled with the second election, placed the noble Lord in a very peculiar position. He did not know that the point had ever been raised, but he believed there was a Motion of the hon. Member for Finsbury on the paper for Thursday evening, moving that one of these seats should be declared vacant. The question he wished to ask, therefore, was whether, under the peculiar circumstances of this case, both Members having on the original petition been found guilty of bribery through their agents, that fact did not in itself make void the recent election; or whether the noble Lord would stand in a similar position to that so long filled by Baron Rothschild, of being a Member of that House without being able either to sit or vote. It was desirable that the House should come to some decision on this question. In his opinion the House had acted indiscreetly in allowing the second Writ to be moved pending the decision of the Committee on the first petition. Under those circumstances, he begged to ask Mr. Speaker whether this seat was of itself vacant, or whether the noble Lord had the power of sitting and voting under his second election?

Mr. WALPOLE said, the subject was so important that he hoped he should be pardoned if he addressed a few words to the House before Mr. Speaker replied to the question of the hon. and gallant Member. The case stood thus. After the general election petitions were presented against the return of Viscount Bury and Mr. Schneider, on the ground that they had been guilty of bribery at the election for Norwich. Subsequently, Viscount Bury took office in the Government, when a question arose in this House as to whether the Writ, under those circumstances, should be allowed to issue. He (Mr. Walpole) was not present at the time, but he believed that upon that point the House decided, under Mr. Speaker's ruling, that the Writ could issue, if the House thought fit to direct that it should issue. If he might venture to express an opinion, he should say that that decision was unquestionably in accordance with the law and usage of Parliament, and he thought he could point out to the hon. and gallant Gentleman that the greatest inconvenience would arise if it were not the law; for supposing any number of Gentlemen sitting opposite had been petitioned against, and they had been commanded by Her Majesty to take office, they would, under any other ruling, be totally incompetent to appear in their places as members of the Government so formed. The inconvenience in that case to the public service from the want of persons to explain and defend the acts of Government would have been the greatest that could be conceived. Since the election of Vicount Bury, consequent on the issue of the Writ, a second petition had been presented, praying not only that the seat may be voided on account of the bribery practised at the former election, but praying further that this House would confer the seat upon another candidate, on the ground that Viscount Bury was incapable of being elected, and that due notice to that effect having been given to all the voters, all the votes recorded for him were thrown away. When this second petition came before the General Committee for election petitions, they considered whether they could not tack the second petition to the first, and thus send them both to be considered by the same Committee. The House, however, on that point expressed an opinion—and in my mind a correct opinion—that since the General Committee was bound by Act of Parliament to take all the petitions in their order, and since the petitions arose in respect of different elections—one after the dissolution and the other when Viscount Bury took office—it was not competent for them to tack the second petition to the first. There was therefore nothing to be done but to proceed with the first petition separately and, as hon. Gentlemen knew, the Committee to whom the petition was referred had come to the conclusion that the election of the two sitting Members was void by reason of their having been guilty of bribery through their agents. The Act of Parliament was imperative under such circumstances, and declared positively that persons who had been found guilty of bribery, either by themselves or by their agents, should be incapable of sitting for that place during the existing Parliament. It did not, therefore, require any action of the House to prevent Viscount Bury from taking his seat as soon as he was declared incapable of sitting. If the noble Lord were to attempt to take his seat he would in the first place subject himself to the penalties attached to those who sit and vote contrary to the Act. But more than that, if he were to take his seat, the House would take notice of it, and recognising the law as prescribed by the Act of Parliament, he would be ordered by the Speaker on a Motion made in the House to retire. Under no circumstances, therefore, he apprehended, could the noble Lord attempt to take his seat except at great peril to himself. But then came the question, what were they to do with reference to the seat being declared void? If the House were to continue sitting very little inconvenience would arise, for the second petition would come on in its turn, and the Committee to which it was referred would decide whether the other candidate's claims to the seat were well founded, or whether a new Writ ought to issue. But if they were asked now to issue a new Writ a question of immense difficulty would be raised, because by issuing a new Writ they would, in fact, be determining by anticipation that the petitioning candidate under the second petition was not entitled to claim the seat. He would therefore venture to suggest that the House should forbear to express any opinion that the seat was void, and that a new Writ ought to issue, lest they should deprive the person who claimed the seat, of those rights with respect to which the Committee on the petition was the proper tribunal to decide. There was in fact only one course for the House to pursue in the matter. There could be no doubt that a new Writ might issue for the city of Norwich with reference to one of the seats, but he could not allow that the Writ ought to issue with reference to the other; or the House, if it thought fit, might withhold both writs. But if both were issued now it would involve the House in immense difficulties with reference to the claim of the other candidate. The point, he admitted, was a new one, but speaking in the presence of the Attorney General he apprehended that he had stated nothing which was inconsistent with law. He must apologise for interposing between Mr. Speaker and the House, but he had done so because he felt that it was hardly a question, involving such difficulties as it did, in which they ought to appeal to the right hon. Gentleman. The proper course was for the attention of the House to be called to the subject by a Motion, when they would be able to look at all the circumstances of the case.

Sir GEORGE GREY said, that this was a very irregular discussion. There was no Motion before the House, and the question asked related to the construction of an Act of Parliament which he agreed with the right hon. Gentleman opposite it was hardly right to call upon the Speaker to determine.

Colonel FRENCH said, he rose to order. The right hon. Gentleman should be bound by his own statement that there was no Motion before the House.

Sir GEORGE GREY said, he would move the adjournment of the House so as to put himself in order. It might be supposed that the hon. and gallant Gentleman had raised this question on behalf of Viscount Bury, as though the noble Lord were anxious to sit and vote. Now, he (Sir George Grey) was assured that this was not the case; that the question was one spontaneously raised by the hon. Gentleman in order to satisfy his own mind on the subject; that Viscount Bury had not been within the House since the decision of the Election Committee, and had no intention of sitting and voting. Under these circumstances, he thought the subject might well be deferred until the next day, when notice had been given for the issue of one of the Writs for Norwich, the hon. Member for Finsbury concurring with the right hon. Gentleman opposite that, the seat being claimed, it would be premature to prejudice the claims of Colonel Boldero by issuing the other Writ. If Viscount Bury had presented himself within the House, it might have been quite right to take notice that he was incapacitated from sitting by the decision of an Election Committee; but to put a hypothetical case to the Speaker on a subject that must after all be decided by the House was, he thought, wholly uncalled for.

Sir JOHN SHELLEY said, he wished to give notice that it was his intention to oppose the issuing of a new Writ. Though it was decided in the case of Dartmouth that he was wrong, yet he believed that in the case of Norwich he had good grounds to go upon, and he intended to move an Amendment to the hon. Member for Finsbury's Motion to the effect that the Writ ought not to be issued till the evidence was in the hands of hon. Members.

Colonel FRENCH said, the right hon. Gentleman (Sir George Grey) had taken it on him to assume a state of his (Colonel French's) mind which not a single word that fell from him would justify. He could tell the right hon. Gentleman that his mode of lecturing other hon. Members was extremely unpleasant, and considering his position in the House it would be well for the right hon. Gentleman to endeavour to soften his tone. The right hon. Gentleman imputed to him that he professed to stand forward as the personal friend of Viscount Bury. He would put it to the House if a single word that fell from him justified such a statement. He made it a pure question of privilege, which as an independent Member he was desirous, for the honour of the House, to have ventilated. With reference to what the right hon. Gentleman opposite (Mr. Walpole) had said, if it were correct in point of fact, he was satisfied; but he had received information that both petitions were referred to the Committee, but that the Committee declined to proceed with the second.

Mr. E. P. BOUVERIE said, he believed there was a second petition before the House which had not been withdrawn, but it did not come under the cognizance of the Committee. It was still possible for the Committee to determine that the Gentleman who claimed the seat was entitled to it.

Mr. SPEAKER said, if the right hon. Gentleman the Member for the University of Cambridge had not interposed it would have been his duty to inform the hon. and gallant Gentleman that the question which he had brought before the House was not one of privilege. The only answer he could have given to this question, whether Viscount Bury had a right to sit in the House, would have been to request him to examine the Act of Parliament, which is very definite and distinct on this subject. The Act of Parliament, and not anything which might have fallen from him (the Speaker) was the proper guide for the proceedings of the House.

Motion for adjournment by leave *withdrawn*.

Subject dropped.

FOREIGN AFFAIRS.—NOTICE.

Lord ELCHO said, he had given notice of his intention to submit to the House on Thursday next a Motion having reference to the inexpediency of England's taking any part in the anticipated Congress of European Powers. Since he had given that notice, however, he had received a letter from his noble Friend at the head of the Government, which stated that, owing to the late melancholy event which had taken place in the family of the noble Lord the Secretary for Foreign Affairs, he would not be in his place in the House before Monday next, and requested him (Lord Elcho) in consequence to postpone his Motion until that day. Under those circumstances, he had no alternative but to accede to the request of his noble Friend, who, he hoped, would enable him to bring forward the Motion on Monday.

VISCOUNT PALMERSTON expressed his readiness to do so.

MERCHANT SEAMEN.

ADDRESS MOVED.

MR. MONCKTON MILNES said, he rose to move—

> "That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to enter into negotiations with the Government of the United States of America, for the purpose of preventing the assaults and cruelties committed on Merchant Seamen engaged in traffic between this Country and the United States, and of bringing to justice the perpetrators of such offences, many of whom escape with impunity in consequence of the defects of the present system of international jurisdiction."

The subject had engaged the serious attention of men in high places, and also enlisted the sympathies of a large body of persons both in this country and in the United States of America. The question was, whether many injuries should remain unredressed, and a large amount of crime should go unchallenged and unpunished. The point he was about to ask the House to consider was, in what manner they could best put a stop to the series of outrages and cruelties which were committed on the high seas in connection with the merchant traffic between England and the United States. It could hardly be considered a question especially affecting the United States, as the proportion of American seamen sailing under the merchant flag of the United States did not amount to more than 17 per cent. The remainder of the crews was made up of men belonging to all nations, no small portion of whom consisted of our fellow-countrymen. The outrages to which he alluded, had in a special manner attracted the attention of the inhabitants of Liverpool, which was the great entrepot of that traffic. It was stated by them that unhappy men arrived almost daily in their harbours who, in consequence of the cruel treatment which they had received on the voyage, were obliged to be conveyed to the hospitals of the city, where some of them died of the injuries which were inflicted upon them, while others remained there for a long time unrecovered. Now, the Government of the United States had expressed through their Consul a desire that so disgraceful a state of things should be remedied, while, on the other hand, the people of Liverpool had taken up the subject with a warmth beyond the wont of Englishmen. Yet it did not appear that Her Majesty's Government had taken any steps to bring the perpetrators of those crimes to justice. A *résumé* of the whole facts was to be found in a pamphlet, written by Mr. Bright, an eminent merchant of Liverpool, and addressed to his hon. Friend the Member for Bedford (Mr. Whitbread), who was to have brought the subject before the House, but who, unhappily had joined Her Majesty's Government, and who was in consequence incapacitated from employing his talents out of his own department to the advantage of either the House or the country. He (Mr. M. Milnes) had therefore deemed it to be his duty to take the matter up. The grievance which he wished to be redressed divided itself into two branches. There were, first of all, the cases which came within the operation of the extradition treaty existing between this country and the United States. The clauses of that treaty, however, were so intricate and involved as to render it impossible, even in the case of the gravest crimes, to bring any criminal to justice. There was, for instance, the case of the outrage on board of the ship *Etivan*, the case tried before Baron Bramwell last year, in which the offence was committed 2½ miles from what was considered the limit of the jurisdiction of England. Baron Bramwell charged the jury to acquit the criminal, on the ground that no case had been made out; but he gave him up to the American authorities, to be conveyed to the United States. The moment the man touched his native shore, he absconded, and got off scot-free. Two other cases of a similar description occurred within the last year. Only within the last month, a most atrocious murder was committed by a Corsican sailor on board an American ship called the *Mountaineer*. The vessel touched at Sunderland, on her voyage from Amsterdam to New Orleans, and the captain applied, through the American Consul, to the magistrates at Sunderland, for a cell in which the culprit might be kept in safe custody until the return of the ship to America, undertaking, at the same time, to pay all the necessary expenses. This seemed a very reasonable request, but the answer written by Mr. Waddington, on behalf of Sir George Lewis, the Secretary for the Home Department, to the Consul, was to the effect that the request could not be complied with unless the offence came within the 10th Article of the Treaty of Washington between England and the United States; and that even if it did, the magistrates could not interfere without a warrant from the Secretary of State, granted upon the formal demand of the United States Government, under the extradition treaty. The consequence was that the murderer escaped within a few days after his arrival at Sunderland. He was recaptured and taken on board again, but he succeeded in escaping a second time, and he was now wandering about the country with perfect impunity. He thought it was the duty of Her Majesty's Government to make some arrangement with the United States by which prisoners so charged might be kept in safe custody, and every means taken to bring them to justice. The cases to which he had referred, although of a most serious character, were comparatively of rare occurrence, and they could scarcely be compared to the class of cases which he wished chiefly to bring under the notice of the House. He referred to those minor outrages which were continually occurring on board American ships, and excited so much indignation and reprobation in Liverpool. They knew that the Amercian merchant service was a rough and ready one, and he did not wish to complain of the captains of the ships. Indeed, in almost all the cases he had investigated the cruelty was committed not by the captain, but by some of the crew, and the captain did all in his power to restrain it. These cases were so frequent at Liverpool that they had obtained a name for themselves, and were known in the hospital there of "Consuls' cases." From June, 1857, to June, 1858, there were no less than 135 of these "Consuls' cases" sent to the hospital. From June, 1858, to March, 1859, the number of cases was 80; during the latter period 23 additional cases were treated in the workhouse. The Society of Friends of Foreigners in Distress had also published a report on the subject, which showed how great was the evil of which he complained From that report it might be learned of what kind and nature those cases were. In four of them the sufferers were Germans. One was a Hessian, who was set to work, and so ill-treated that he was obliged to be laid up in the hospital. The next was a Prussian, who had been a waiter in an inn, and who was engaged as a steward on board a vessel, but was put to work as a common sailor, and so injured that he was confined for fourteen days. The third was a Bavarian, who was engaged to assist in unloading a ship, and had his arm broken. The fourth was also a Bavarian, and had his arm smashed. Nobody could deny that there had been cases of violence and cruelty; and the continued impunity given to these cases operated most injuriously, not only upon the American merchant service but upon our own. These habits of ferocity and cruel treatment of merchant seamen in this country, of which we had seen examples, arose in a great measure from the anomalous state of the law. He had received a letter from a gentleman, whose name in American literature stood so high that every word which came from him was important, even if his character were not marked as it was by eminent feelings of humanity, he meant Mr. Hawthorne, the distinguished writer of fiction. He stated that in his view the majority of these cases of cruelty did not arise amongst Americans. It very often turned out that on board these ships the only American was the man who took no part in the affair, namely, the captain. Such was the tone also adopted by the *New York Commercial Advertiser*, which in a recent number had remarked,

> "Certainly the subject is important. The humanity and generosity of this country and Great Britain should be glad to unite in some feasible reform to prevent this reign of cruelty and violence."

He hoped he had satisfied the House that the case was one of great grievance, and that the only question was how to remedy it. He thought the House would agree that the remedy must lie in one of two directions. Either to give additional power to the American consuls by which they themselves would be able to take the responsibility upon themselves and rectify the evil, or to obtain a convention with the United States, under which these offenders might be brought to justice, and treated as if the injuries had been committed on English soil. He hoped he should not be met with technicalities, but that Her Majesty's Government would see whether, without contradiction of the principles of international law, that law might not be so supplemented as to prevent the evil which now existed. The giving of additional power to the consuls would naturally occur to any one who investigated the subject. It was true that it was the practice of the English nation to refuse extra-territorial power to any body of foreigners residing within this kingdom; at the same time, in that respect, we had acted exceptionally to the rest of Europe. The law during the middle ages, and down to our own time, was that for the purposes of public security and advantage a nation should permit foreigners to exercise within its boundaries such jurisdiction on its own subjects as might not be injurious to the common weal. This power had been asserted by the French Government, and the great memorial of Colbert, which had been treated as the manual of the consular service ever since, established that no Frenchmen should under any circumstances submit to be judged by any other country than his own. The consul, it was said, was nothing more than the executive Minister of the colony of his fellow-countrymen established in the country, and this principle had been carried out with great severity by the French nation. In 1814 it was urged that this principle should be abandoned, and this only took place after much resistance by the Duc de Broglie. He thought, therefore, that by some extension of power they might enable the American Consuls to judge the more simple and more frequent of these cases. He know it might be said that other evils would perhaps arise. He was bound to say that he had heard of cases at Havre in which the absolute jurisdiction over American subjects, assured to the consul by a convention with France, had been grossly abused. If the giving power to the consuls was not the right remedy he did not see why they could not come to an arrangement with the United States by which these cases might be judged by the native tribunals of this country and America. It might not do to apply the rule to the graver cases, but it might be made to apply to all cases which would come ordinarily under the jurisdiction of a stipendiary magistrate. He hoped that in one direction or the other Her Majesty's Government would negotiate with the United States, and in settling the matter in a satisfactory manner perform an act not only of humanity but of justice.

Mr. J. EWART seconded the Motion. He thought it a defect in the present state of the law, that in the case of serious crimes all the punishment the consul could inflict was to make the captain of the ship pay a sort of fine.

Sir GEORGE LEWIS said, his hon. Friend the Member for Pontefract had, he thought, done good service to his own country and to the community of the United States by bringing this subject under the consideration of the House, and he had stated with great distinctness the evils which arose from the existing state of things. He need hardly remind the House that the territorial law of this country was hardly competent to deal with the evils which had been brought before them. In the first place, this country could not, except by treaty, exercise any jurisdiction over crimes committed on board foreign ships upon the high seas. Their jurisdiction extended merely to crimes committed by foreign sailors on board foreign ships within three miles of the coast. Except within these limits the Crown of England had no power to exercise jurisdiction, and it was only by a ratified convention with the United States, or with any other Power, that this jurisdiction could arise. In the treaty concluded with the United States by Lord Ashburton in 1842 there was an article that stipulated for the mutual extradition of criminals. It included persons charged with murder, assaults with intent to murder, robbery, arson, forgery, and uttering forged papers. When a murder, or an assault with intent to murder, is committed on board an American ship on the high seas, it is by the construction of the law supposed to be committed on American territory. And if the ship put into an English port, and the offender were claimed through the American Minister, he would be delivered up and sent to America for trial. The expense incurred in sending the prisoner and the witnesses back to the United States to have the case investigated by the American courts would have to be paid by that Government. In practice it was found that this process was rarely carried into effect, and did not lead to the punishment of offenders. That, however, was the course under the present convention; and if it was not pursued the offender could not be made amenable, any more than if he had committed the same crime on the soil of the

United States. The question then arose whether it was possible to make any convention with the United States by which this class of criminals could be brought to punishment. One obvious means of effecting this object would be to extend the number of crimes comprised in the article of the treaty of extradition, and include these cases of manslaughter and aggravated assaults on board ship. But under this article, the remedy, on account of the necessity of sending the witnesses to America, was difficult, expensive, and rarely resorted to. Another course suggested was to obtain for English magistrates a jurisdiction over those offences in this country, giving the United States a corresponding jurisdiction over English sailors committing similar crimes on board English ships. This would be in the power of the two nations to agree to by convention, with a legislative sanction in each country; and, if the Government of the United States were willing to agree to such an arrangement, he saw no injury in it to either nation. This would overcome the difficulty caused by each country exercising an exclusive jurisdiction over its own ships on the high seas. Another course suggested by his hon. Friend was to give the consuls of each country a jurisdiction in these cases. He was not prepared to say that even that plan, if the two Governments agreed to it, and Parliament gave it effect, could not be carried out. It was true that this country had never yet allowed any foreign Power to exercise any criminal jurisdiction within its territory, nor did the case of the consuls in the Levant furnish a precedent strictly applicable. But it should be observed that this would be a jurisdiction over offences committed on board ships on the high seas, and therefore, strictly speaking, within the territory to which the ships belonged. It would be an entirely new system. If they were to arm the American Consul at Liverpool with criminal jurisdiction he would still virtually be exercising jurisdiction under the English law. As the consul, however, could not be learned in the English law he would necessarily be forced to avail himself of the assistance of an assessor who could advise him upon the law of England, so that he would only be formally sitting in Court, while an English barrister would virtually be trying the prisoner. That would resolve itself into British administration of justice; and he doubted whether such a mode of solving this difficulty would find very much favour. At the same time he did not express a confident opinion against it, but he quite agreed in the general scope of the Motion of his hon. Friend, and that this was a matter which might form a subject of negotiation between this Government and the Government of the United States.

MR. HENLEY said, that this was a subject of no small importance, for no doubt within the last few years there had been many allegations of cruelty committed on board American ships. He wished that the hon. Gentleman who brought forward this Motion had told them whether many prosecutions had taken place for such crimes in the courts of the United States; for it was hardly possible that all the cruelty would be committed on the outward voyage and none on the voyage home to the States, and if it were committed on the voyage home there would be the American courts to appeal to on the ship going into port. The records of American courts might show what was the state of things and what view was taken of these crimes in America, and such information might go far to show how to remedy the evil, if evil existed. The Secretary for the Home Department had said, that it might be agreed that our stipendiary magistrates might deal with such cases, and that the American magistrates might deal with similar cases occurring on board our ships; and this might be all very well when American law and American courts only were in question; but if we came to this arrangement with America how could we refuse to come to a similar arrangement with Austria, Russia, or Spain, and would the Government be willing to subject an Englishman who had committed an assault on the high seas to the tender mercies of the Russian police? He hoped that these allegations of cruelty on board American ships which had been made within the last two or three years, might have arisen from circumstances, from some cause or other, accidental, and that such things would not again be so much heard of. With regard to the question of Consuls dealing with these matters, there did not occur to his mind the same difficulty in carrying out that suggestion that there was in giving the courts of the two countries jurisdiction in such cases. The principal difficulty seemed to be that if the Consuls acted they must give the Consuls power to confine prisoners in their prisons. He did not think it necessary that they should act on the laws of the country in which they acted, but that they might administer the law of their own country. It was, however, a subject beset with difficulties, though certainly there would be no harm in negotiating upon it; but whether the negotiation would lead to any practical conclusion was another matter. He hoped that care would be taken not to get us into difficulties of a worse description whilst attempting to deal with an evil which was certainly not our own.

THE ATTORNEY GENERAL said, the subject of the Motion had engaged the attention of the law officers, not only of the present Government, but of those which had gone before it. All attempts, however, to induce the Government of the United States to agree to any rules in respect to the matter had proved unsuccessful from the jealousy with which they guarded against any interference with the administration of their law. The proposition of the United States Government always had been that an American charged with an assault upon the high seas should, on his arrival in this country, be taken before an American Consul, who should be invested with criminal jurisdiction. To that proposition, however, he, as the law officer of the Crown, in conjunction with his colleagues, would offer a most strenuous opposition. He certainly never would be a party to any criminal jurisdiction being exercised in this country, except in the name of the Queen, and according to the laws of the country. The right hon. Gentleman who had just sat down had adverted to the possibility of our being required to extend the same principle to Austria, Russia, and other States having arbitrary criminal laws if we entered into a treaty with the United States; but he (the Attorney General) did not think that that consequence would at all follow, because in the case of the United States the bargain that might be entered into would be in accordance with our inalienable claim to reciprocity of jurisdiction, and that involved the administration of a criminal law similar to our own, and founded on the same principles as our own. The Amerians had conventions with France on this subject, and the representations that had been made to the Government of the manner in which the authority established by those conventions was exercised would surprise the House, and would be a warning against the adoption of any similar rule in this country. Nothing was more common than for the captain of an American merchant vessel, on entering a French port to go immediately to his own consul and accuse his whole ship's crew of mutiny and have them imprisoned, in order that he might keep them in safe custody until he intended to sail again, when the crew was delivered up to him on board. He mentioned that on the authority of our own Consul in France, and he thought the House would never consent to any similar jurisdiction being given to the American Consuls in this country. There were three things to which he hoped, if this Address were voted, the attention of the authorities would be directed. One was the facilitation of the working of the Extradition Act which, for the reasons mentioned by his right hon. Friend the Home Secretary, did not answer the object for which it was passed; the other was the establishment of a reciprocity of jurisdiction with reference to the offences that had been mentioned; and the third was the establishment, if possible, of a summary jurisdiction in order to dispose of those quarrels that arose with regard to contracts between British seamen and their employers on their arrival at a foreign port, and similarly with regard to foreign seamen on their arrival at an English port. He could assure the House this was no new matter—it had been frequently under discussion. The House itself had had cognizance of it eight or ten times during the past six years, and he earnestly hoped the Address moved for by the hon. Gentleman would be productive of some good understanding between the two countries as to the means which ought to be adopted for remedying the evil complained of.

MR. MONCKTON MILNES said, in reply he had to thank the House and the Government for the consideration they had given to the subject, and he had no doubt the discussion which had taken place would materially promote the humane object he had in view. With respect to the number of trials in America he would remind the right hon. Member opposite (Mr. Henley), that there was a great difference in the crews of inward and outward bound ships. There was no difficulty in getting sailors to go from Europe to America, but in manning ships to return to Europe there was fierce competition, an extensive crimping system was carried on, and much cruelty was practised. He hoped his Friends in the Goverment would not overlook the case of the murderer, who was now at large, because the authorities of this country had no power to secure him. The powers of the extradition treaty, which were now exclusively confined to the metropolitan magistrates, should be extended to the stipendiaries at Liverpool and the other seaports.

Motion *agreed to.*

Resolved,

That an humble Address be presented to Her Majesty, praying Her Majesty to be graciously pleased to enter into negotiations with the Government of the United States of America, for the purpose of preventing the assaults and cruelties committed on Merchant Seamen engaged in traffic between this Country and the United States, and of bringing to justice the perpetrators of such offences, many of whom escape with impunity in consequence of the defects of the present system of international jurisdiction.

FORESHORES, &c.

COMMITTEE MOVED FOR.

MR. AUGUSTUS SMITH rose to move for a Select Committee to inquire into the rights as claimed by the Crown and other bodies connected with the Foreshores, Tidal Rivers, Estuaries, and bed of the Sea round the coasts of the United Kingdom, the various proceedings instituted of late years by the officers of the Crown with respect to the same, and to ascertain and report to the House whether any and what legislation might be required for defining the said rights, and for securing and protecting those of the public and individuals. By way of premise he might remind the House that the object and importance of his Motion had been ably expressed two years ago by the Earl of Derby in "another place," when presenting a petition in "another place." His Lordship stated then that it was a subject of very great importance involving questions of a very serious and complicated character, affecting the right of the Crown to the land between high and low watermark throughout the kingdom, the extent of that right, and the manner in which it was enforced. No one disputed that there was a right in the Crown, of a certain kind, to the dominion of the land between high and low water-mark; but the question was, whether that was such a right to the soil as would entitle the Crown to make it a means of profit by way of lease, or whether it was not merely a power with which the Crown was invested as a trustee for the purpose of protecting the public in their use of it. This latter was certainly the whole extent to which the maxim of the civil law went; and something to the same effect appeared to be the law of England as it stood in the time of Henry III. Bracton seemed to have the idea that it would be well for the public if such a power were acknowledged in the King as would enable him to protect the public use of it, but it did not appear that he went further. This view was confirmed by the *dicta* of Lord Hale, Judge Bayley, and several other learned Judges. In short, the result of the law authorities was, that the Crown was nothing more than a trustee for the public, to secure to them, collectively, and individually, the advantages and privileges that might accrue from the right to the sea-shore. When he looked to the older suits instituted by the Crown in reference to this subject, they appeared to have this object in view. But when he looked to the more recent cases, they appeared to have no other object in view than the increasing the territorial estates of the Crown, and that was in a manner which exposed the public to great inconvenience. This was evident from the suits instituted against the Corporation of London with reference to the foreshores of the Thames, and from other suits instituted against other public bodies in reference to the right to the foreshores of other rivers. Moreover, Lord Morpeth, the First Commissioner of Woods and Forests, in giving his evidence before a Committee of the House which sat in 1848, said, in answer to a question, that he looked for a considerable increase in the revenue from the exercise of the rights of the Crown over the sea-shore.

Notice taken, that Forty Members were not present; House counted; and Forty Members not being present,

House adjourned at a Quarter after Eight o'clock.

HOUSE OF LORDS,

Wednesday, August 3, 1859.

MINUTES.] PUBLIC BILLS.—1° Charitable Trusts Acts Continuance.

Their Lordships met, and having gone through the Business on the Paper,

House adjourned till To-morrow.

HOUSE OF COMMONS,

Wednesday, August 3, 1859.

MINUTES.]—NEW WRITS ISSUED.—For Taunton, *v.* Right honble Henry Labouchere, Chiltern Hundreds; for Devonport *v.* Sir Thomas Erskine Perry, Member of Council for India.

Public Bills.—1° East India Loan; Superannuation Act Amendment; Divorce Court.
2° Dublin Police; Probates and Letters of Administration (Ireland); Sessional Divisions; Chief Superintendent, China; North Western Territories (British America); Speaker of the Legislative Council (Canada).
3° Law Ascertainment Facilities.

LAW OF PROPERTY AND TRUSTEES RELIEF AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

(In the Committee.)

Clause 3.

Mr. ROLT said, he would suggest that the clause should be omitted, as it was a mere idle piece of legislation. It proposed to deal with acts implying waver of covenant, but it was impossible to deal with that matter by legislation. It must be left to the Courts to decide what was the effect of particular Acts.

Mr. MALINS said, he concurred in thinking that it would be better to omit the clause.

Mr. WALPOLE said, that this and the other clauses had been carefully considered in Committee of the other House of Parliament, when all the law Lords were present, but he would not press the clause after the expression of opinion that had taken place.

Clause *withdrawn.*

Clauses 4 to 16 inclusive *agreed to.*

Clause 17.

Mr. ROLT said, he thought this and the four following clauses, which gave devisees in trust the power to sell estates for payment of debts, related to matters of so much importance that they ought to form the subject of distinct and separate legislation. Besides, the matter was already settled by decisions of the Courts.

Mr. MALINS said, that the law as now laid down was in complete accordance with the propositions contained in this and the following clauses, and he strongly objected to the principle of introducing into a Bill clauses declaring that to be the law which every practitioner of any experience knew, according to the ruling of the courts, was the law at present.

Mr. WALPOLE said, he believed this clause, and the subsequent clauses to which his hon. and learned Friends had referred, constituted a very valuable portion of the Bill. In his opinion those clauses would have the effect of saving considerable expense, and he felt bound to press them.

The SOLICITOR GENERAL said, he hoped that his right hon. and learned Friend would not abandon these clauses, for the object of the Bill being to facilitate purchases, he thought it was important that they should have a statutory declaration of the law, instead of relying merely upon certain decisions of the Courts.

Mr. ROLT said, that if the clause remained, some proviso ought to be added to guard against injury to titles; as otherwise the clause might cast a doubt on the existing law.

Mr. WALPOLE said, if the hon. and learned Gentleman would bring up such a proviso upon the Report, he should not object to it.

Clause *agreed to*, as were also Clauses 18 to 24 inclusive.

Clause 25, No judgments, &c. shall bind a purchaser unless execution has been issued.

Mr. MALINS said, that this clause raised the question whether a judgment ought or ought not to be a charge on land. That was a fair question for argument. In the case of personal property, such as chairs and tables, a judgment was no charge, and the property could only be taken when the judgment was executed. In the case of land, a judgment, being duly registered, was a charge. Now either this ought or ought not to be. But the Bill took a middle course, and provided that a judgment should not bind the land until execution issued. This was a most mischievous state of things. The Bill ought either to enact that the judgment should be no charge at all, or it ought to leave the law as it stood.

The SOLICITOR GENERAL said, that the suggestion that the lien of Judgments upon landed property was too important to be dealt with incidentally. Certainly as it stood the clause would act very oppressively in the case of creditors to the Crown. It would force the Crown to execute judgments against Crown debtors which were now not enforced.

Mr. WALPOLE said, he could not but admit that the clause was unsatisfactory.

Clause *withdrawn.*

Clause 26, *agreed to.*

Clause 27 *struck out.*

Clause 28 *agreed to.*

Clause 29, Punishing vendors as misdemeanants for fraudulent concealment of deeds.

MR. HADFIELD said, he would move the omission of the clause, as being unnecessary and calculated to work mischief.

COLONEL FRENCH observed that he would support the clause, although he held that it did not go quite far enough.

MR. WALPOLE said, the clause was important, and ought to be retained. Its object—obviously an unobjectionable one—was that any seller or his solicitor who concealed any instrument material to the title, with intent to defraud, should be deemed guilty of misdemeanor.

THE SOLICITOR GENERAL said, he approved the clause, with certain modifications in its form. It only extended to sellers a principle already applicable to trustees.

MR. ROLT suggested that mortgagors of land should be included as well as vendors.

MR. MALINS said, he might illustrate the necessity for that provision by reference to a case which had recently occupied the Court of Chancery for ten days.

MR. MURRAY recommended that the clause should be extended to all equitable deposits of deeds.

Clause *agreed to*, on the understanding that it should be amended on the Report.

Clause 30 *agreed to.*

MR. HADFIELD said, he would move the following clause:—

> "Where a trustee, executor, or administrator shall not be authorized, but shall not by some instrument creating his trust be expressly forbidden, to invest a fund forming a subject of his trust upon mortgage of freehold, copyhold, or leasehold estates within the United Kingdom, or upon the stocks, bonds, or debentures of the Bank of England or Ireland, or on India stock, it shall be lawful for such trustee, executor, or administrator so to invest such fund; and such trustee, executor, or administrator shall not be liable, as for a breach of trust, in respect of such investment already made, or hereafter to be made."

Clause brought up and read 1ª and 2º and *agreed to.*

Bill *reported*, with Amendments.

House resumed.

SUPPLY.—CIVIL SERVICE ESTIMATES.

Order for Committee (Supply) read.

House in Committee.

MR. MASSEY in the Chair.

(In the Committee.)

(1.) £40,000, British Kaffraria.

MR. LAING said, he hoped his hon. Friend the Member for Brighton would not divide the Committee on the Amendment which he proposed the other night, as the Vote would be reduced next year.

MR. CONINGHAM said, that on the distinct understanding that the Vote would be reduced next year, he would withdraw his intended Amendment.

Vote *agreed to*, as was also:—

(2.) £59,215, Treasury Chest.

(3.) £30,000, Submarine Telegraphs.

MR. AYRTON said, he wished to ask what was the real meaning of the contract entered into with the Red Sea Telegraph Company? Clause 4 of this Act provided "that the company shall themselves well and efficiently work all their lines of telegraph for the transmission and delivery of messages;" and in Clause 15 it was stated that if they did not do so the Government might take possession of the lines. Now, supposing the company failed to work these lines efficiently, and the Government did not take possession, what would then be the relation of the Treasury to the company? Were the Committee to understand that the money was to be paid in any case, whether the telegraph was worked by the company or not?

MR. LAING said, this contract was the subject of an Act of Parliament, and had already given rise to considerable discussion. It had then been explained that the Government guarantee was an absolute not a conditional one, it having been found impossible to form a company for the execution of this work on any other terms. If the working of the cable, therefore, were to be interrupted through any accident, the Government would still be responsible for the payment.

Vote *agreed to.*

The following Votes were also *agreed to*:—

(4.) £12,000 African Rivers Expedition.

(5.) £7,949, Dr. Livingstone's Expedition.

(6.) £4,700, Corn Returns.

(7.) £1,046, Joint Stock Companies Registration.

(8.) £703, Registration of Designs.

(9.) £11,850, Revising Barristers (England and Wales).

(10.) £1,332, Police, Aldershot and Shorncliffe.

MR. W. WILLIAMS said, this was a most objectionable Vote. How was it that a body of 20,000 soldiers required a constabulary force to look after them? Surely they were able to take care of themselves.

MR. LAING said, the police force had

nothing to do with looking after the soldiers. Wherever such camps as these were established there was always a large number of camp followers, who were not always of the most orderly character. They could not make the soldiers maintain order among these persons.

Vote *agreed to*, as was also :—

(11.) £3,000, Burial Grounds Inspection.

(12.) Motion made, and Question proposed,—

"That a sum, not exceeding £2,000, be granted to Her Majesty, towards the formation, in the year ending the 31st day of March 1860, of the Gallery of Portraits of the most Eminent Persons in British History."

Mr. SPOONER said, he should oppose the Vote, as the House of Commons had no right to expend public money in buying pictures. The gallery was useless in point of art, and the collection was without a moral, as the selection was made rather upon notoriety than character. Besides, it had already transpired that there was not enough room for the paintings, and next year, he supposed, £30,000 would be wanted to provide a building. He should therefore take the sense of the Committee on the Vote.

Mr. AYRTON observed, that this gallery was a favourite with the right hon. Gentlemen on the front bench on both sides of the House, because they were under the delusion that some day their own portraits would be hung there. He believed that if no money were spent at all we should get as many pictures as were wanted from private donations. Nobody cared a straw about nine-tenths of those purchased. He therefore trusted the hon. Gentleman would persevere in his opposition.

Mr. DEEDES said, he should vote against this grant, because he thought that it was for an object of luxury, and that the country just now could not afford to indulge in objects of luxury, on the same principle as would lead a prudent man to keep away from a picture sale if he had not a shot in his locker.

Viscount PALMERSTON: Sir, it has been said that those who sit upon this bench favour the gallery because they hope one day to have their portraits there. As far as I am concerned—and I think I may speak for my colleagues—I should be well content to compound with the hon. Gentleman the Member for the Tower Hamlets (Mr. Ayrton) on that point by a Resolution that none of our portraits shall be placed

in the gallery. With regard to the Vote, there might be some ground for the opposition made to it if this were a new question; but it has been frequently considered, and Parliament has thought it would be advisable to incur annually a very moderate expense, not in collecting works of art, or in forming a school of art, but in purchasing the portraits of those persons who have figured most in our history. It is most interesting, after persons have been reading about the exploits of some eminent person, to be able afterwards to realize the man by seeing his portrait. As somebody has said, in reading that Cæsar conquered Pompey, all you know is that Cæsar was one man and Pompey was another. But it is highly interesting and instructive, after reading about Cromwell or any other historical character, to go back to the day in which he lived, and to have before you the most faithful representation in painting or sculpture that can be obtained of his person. It is not as a collection of works of art that this gallery is proposed, and it is therefore no valid objection to say that some of the pictures are not good ones. The gallery will connect itself with the history of this country, and I do hope that the Committee will not now reverse the decision more than once deliberately given in its favour.

Mr. CONINGHAM said, he should support the Amendment, not because he objected to the collection of pictures by the nation, but because he thought the machinery of the National Gallery ought to be made use of for the purpose. In that grossly mismanaged institution there was a Director at £1,000 a year, and a Secretary at £750, and why, then, should it be necessary to appoint a second Secretary at £350, who wrote a long letter to the *The Times* to show that he had done his duty in allowing portraits to be sold at public auction which were afterwards bought at three or four times their original price?

Mr. STIRLING said, he was surprised that the hon. Member for Brighton (Mr. Coningham) who, a few nights ago, complained of the management of the National Gallery as so very bad that it ought to be removed from the hands of the Director, should now wish to throw increased duties upon that Gentleman. He agreed, however, that the Portrait Gallery ought at some time or other to be made a branch of the National Gallery, but at present there was much preliminary work to be done. It was not likely that the walls would be covered with voluntary gifts, for comparatively few of the pictures offered were of sufficient historical interest to be hung in the gallery. The noble Viscount would have considerable difficulty in fulfilling any pledge that his portrait and those of his colleagues should be kept out of the Gallery, for no portrait was admitted until the original had been dead ten years.

MR. DANBY SEYMOUR said, he thought the officers of the National Gallery should be the persons authorized to purchase the portraits. At present the best portraits were allowed to be bought at public sales by the picture dealers, from whom the Government bought them at advanced prices. Another objection he had to leaving the matter in the hands of *dilettanti* gentlemen who were probably more versed in history than in art was, that there was great doubt as to the authenticity of many of the portraits they had bought. He should not, however, object to the Vote this year.

SIR JOHN SHELLEY said, that on one occasion, a portrait of Lord Nelson, for which £800 was asked, was sent to the trustees for inspection, when it was found that the great naval commander was depicted in the flaming uniform of a field marshal.

MR. A. SMITH suggested that the portraits should be hung up in the galleries of the Houses of Parliament.

MR. BLACKBURN observed, that the biography of every great man was accompanied by his portrait, a circumstance which obviated the necessity for the Gallery, the only use of which seemed to be to bring all those portraits into one group.

THE CHANCELLOR OF THE EXCHEQUER observed, that the last observation was an argument in favour of the Vote. He might also refer to the Manchester Exhibition, in which the portraits of distinguished men had been placed together in one department instead of being scattered among the general collection, and no portion of the exhibition had excited greater interest than that which contained those pictures. While, however, he did not think that the Vote for the purpose of securing a national collection of portraits was open to objection he was perfectly ready to admit that there was something anomalous in having a separate establishment for such a gallery. The element of art entered largely into its formation, and he was therefore of opinion that its disassociation from the National Gallery ought to be regarded as merely provisional. At present it was necessarily separated from that establishment, but when the proposed alterations in the National Gallery were made, the junction of the two would be a subject, he admitted, worthy of consideration.

MR. RIDLEY supported the Vote, observing that a national portrait gallery would constitute a very fine volume of our national history. In the Pitti Gallery at Florence two rooms were devoted to the exhibition of the portraits of men who had been famous in literature, art, and science, and that among the whole of that magnificent collection no two rooms were generally more frequented.

MR. BRISCOE said, that he desired to see in London a portrait gallery of that character which was to be found in most continental cities.

MR. SPOONER observed that the Chancellor of the Exchequer had afforded the best proof that there was no necessity for the Vote by alluding to the Manchester Exhibition. There would be many such exhibitions if the people were left to themselves, but here the working people were taxed for the gratification of the higher classes.

MR. W. WILLIAMS said, he also should oppose the Vote. For a justification of that course he might refer to the case of Greenwich Hospital, the walls of which were covered with most interesting historical portraits, all of which were voluntarily presented to the nation.

Question put.

The Committee *divided*:—Ayes 141, Noes 35: Majority 106.

Vote *agreed to*,

(13.) £2,050, Boundary Survey Expenses Ireland.

MR. W. WILLIAMS objected to the Vote.

MR. LAING explained that the Vote was required for the completion of a valuable survey of Ireland.

Vote *agreed to.*

(14.) £2,140, Agricultural Statistics (Ireland).

SIR JOHN SHELLEY said, he wished to ask what advantage was derived by any other persons than speculators in corn from the expenditure for agricultural statistics in that country?

MR. CARDWELL said, that the House had upon various occasions expressed a great desire for the collection of agricultural statistics, and although in England they had not been collected, yet he thought that as a very small sum was asked to defray the expense of their collection by the county constabulary in Ireland the Committee would not object to the Vote. He would not enter into the general question which had been discussed most fully during the last Session. He would merely observe that these statistics in a country like Ireland furnished valuable information with reference to the question of supply and demand.

Colonel SYKES remarked that the use of agricultural statistics was quite obvious. It was precisely the same as a tradesman taking stock. There were a certain number of mouths to be supplied, and if these statistics were collected they would know exactly how much grain could be supplied by this country, and how much was necessary to be imported.

Mr. CAIRD said, that if these statistics had been collected at a much earlier period the calamities which had occurred in Ireland would not have happened.

Sir JOHN SHELLEY observed, that as one concerned in agriculture, he doubted the possibility of procuring returns that were reliable.

Mr. DAWSON said, it was of the utmost consequence to know the producing power of the country.

Vote *agreed to;* as were also the following Votes.

(15.) £23,000, Courts of Law (Dublin), &c.

(16.) £1,300, Pitcairn Islanders Removal.

(17.) £11,440, General Register House, Edinburgh.

(18.) Motion made and Question proposed,—

"That a sum, not exceeding £2,000, be granted to Her Majesty, for the purchase, in the year ending the 31st day of March 1860, of Sir George Hayter's Historical Picture, representing the moving the Address to the Crown in the House of Commons on opening the first Reformed Parliament in 1833."

Mr. SPOONER said, he wished to call the attention of the Committee to the Vote for the purchase of this picture. They had already voted £2,000 for the purchase of pictures for the Portrait Gallery, and this picture ought to be paid for out of that fund. It appeared that the picture had been already bought; and he thought it was a most unconstitutional course to buy the picture and then come to the House and ask Parliament to pay for it.

Mr. LAING remarked, that the hon. Gentleman laboured under an erroneous impression if he supposed the £2,000 for the purchase of Sir G. Hayter's picture were to be drawn from the Votes to which he referred and which had already received the sanction of the House.

Mr. SPOONER: Has the picture been paid for; and if so, by what authority?

The CHANCELLOR of the EXCHEQUER said, that in point of fact the transaction had come more especially within the jurisdiction of his predecessor in office, and that if the picture had been paid for it had been done by his authority.

Mr. SPOONER said, the whole affair was not a little extraordinary. If the picture had been paid for then he should like to know what was to be done with it. It could not be placed in the National Portrait Gallery, because there was a rule in existence prohibiting the placing of the portraits of living persons in that establishment. There was, therefore, no room of which he was aware in which to put it, and he could not help thinking, therefore, that expense had been incurred in a most unconstitutional manner to no good purpose. He said, in a most unconstitutional manner, because it was natural to suppose that the picture in question would be paid for out of the annual Vote for the National Gallery, which had been already granted, whereas it appeared it was to be made the subject of a separate Vote.

Colonel FRENCH said, the hon. Gentleman must not forget that his own political friends were the persons who were most deeply implicated in the question. [Mr. Spooner: That does not matter.] He (Colonel French), however, found no fault with them for the part which they had taken in the transaction. He believed the purchase to be a desirable purchase, and that a majority of the Members of the late House had signified their assent to its being bought.

Mr. DEEDES asked whether the painter had not, in fact, been paid for this picture, and whether the various Members comprised in the painting had not been applied to for their contributions?

The CHANCELLOR of the EXCHEQUER said, he remembered very well that the various Members of the House who had sat to the painter did pay a certain sum, and that they received in return a sort of sketch portrait; but these contributions did not at all repay the artist for the work. There were two questions to be considered. The hon. Gentleman (Mr. Spooner) must remember that the late Government were responsible for this purchase, they having assented to it upon the recommendation and representations of a majority of the House. ["No, no!"] He believed that that was the case; at the same time he deeply regretted that the Executive of the late Government had consented to receive and act upon any such document as that which had been presented to them recommending this purchase. This, however, was a different matter. The question of the purchase ought to be considered upon its own merits, independently of the feeling of the majority of the late House of Parliament. He could well understand that the late Government should have been led to make this purchase on account of the intrinsic value of the picture, as representing a most important era in our Parliamentary history. The artist had been encouraged to expect a very much larger sum than that which had been ultimately paid. It appeared to him (the Chancellor of the Exchequer) that £2,000 was not a large sum for the picture, having regard to the labour which had been bestowed upon it, and that it was much smaller than the painter was led to expect that he would receive. However that might be, it seemed to him that there was nothing connected with the purchase of the picture which should lead the Committee to throw it back again upon the hands of the painter, although the arrangement was perhaps somewhat open to the objection that the Committee were called upon to pay the amount in the shape of an *ex post facto* Vote. The hon. Member for North Warwickshire had truly remarked that there was no room in which to put the picture, but he could assure the hon. Gentleman that the Government would exercise great caution in making a demand for the erection of any new building for its reception.

Sir HENRY WILLOUGHBY said, that in his opinion the Committee were free to rescind the bargain if they thought proper, as they were not bound by anything that had been done in the matter by the Members of the late House of Commons. If they had the picture they must have a place to hang it, and that involved a further outlay. He might mention that he was applied to by the artist to sit for his portrait, and pay for it, but he declined the honour.

Mr. AYRTON said, the picture commemorated a great national event, one of the highest interest in modern times—of far deeper interest than the subjects of fire and smoke which were often recorded by the painter at the national expense. The late Chancellor of the Exchequer no doubt thought how desirable it was to impress on the country the necessity for occasional Parliamentary Reform, and influenced by such feeling, consulted the wishes of a large number of the House of Commons that the picture should be purchased. As to hanging the picture, there was abundance of space on the walls of that House, if there were no other suitable place where it could be advantageously open to the public inspection. The House of Lords, too, would in that case have an opportunity of examining the picture, and thus be reminded of reforms nearer home.

Mr. CONINGHAM said, the late Chancellor of the Exchequer had referred the question of the purchase of the picture to the noble Lord who represented the City of London (Lord John Russell), the noble Lord who represented Haddingtonshire (Lord Elcho), and himself; and although he was in favour of a lower price, he waived his opinion, and joined in recommending the purchase which had taken place.

Mr. WISE said, he would remind the Committee that it was not the first time they had been called upon to register a contract rather than Vote an Estimate. Some two or three years ago a Vote of £11,000 was proposed for the payment of a chapel in Paris which had been purchased without the authority of Parliament. The Committee felt it to be its duty to refuse that Vote, on the ground that such contracts should not be made without first obtaining the sanction of Parliament.

Mr. FARRER saw no reason why they should not pursue the same course which all prudent people observed, not to buy things when they had not the means to pay for them. They had been told that money could not be voted for harbours of refuge because they had not the means. He hoped this Vote would be disallowed, and when they had the means he should be very happy to vote money to purchase the picture.

Mr. LYGON suggested, that the Vote should be postponed or passed *pro formâ*, and the discussion renewed on the Report, when members of the late Government, who had been concerned in the matter, would be present.

Mr. SPOONER said, it was an improper proceeding to buy a picture without first obtaining the consent of the House;

and it was most dangerous that a Minister should take a kind of authority privately from a certain number of Members of the House. He should vote against the purchase of the picture, because it was bought under improper circumstances. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton), said the picture commemorated a great historical fact which deserved commemoration, but in his Mr. Spooner's opinion it was the wrong time to put up such a monument when the first Reformed House of Commons was condemned, and especially as precedent would render necessary a similar picture after the next Reform Bill.

Mr. LAING said, it would be inconvenient to postpone the Vote. The sum had actually been paid out of the Civil Contingencies by the order of the late Chancellor of the Exchequer, and would the Committee make him personally responsible for the outlay?

Question put.

The Committee *divided*:—Ayes 82, Noes 82.

Whereupon the Chairman declared with the Ayes.

Vote *agreed to*, as was also

(19.) £1,060, Neil and Havelock Statues.

(20.) Motion made, and Question proposed,—

"That a sum, not exceeding £9,988, be granted to Her Majesty, to defray the Expense of constructing, in the year ending the 31st day of March 1860, Seven Fire-proof Rooms adjoining the Sheepshanks' Gallery at South Kensington, to receive the Vernon, Turner, and other Pictures belonging to the National Gallery, and of a separate Entrance thereto."

Mr. CONINGHAM said, he thought it necessary the Committee should be informed of what were the real intentions of the Government with regard to the National Gallery? The removal of a portion of the pictures from Trafalgar Square gave rise to suspicions of their ultimate intentions. He wished also to know whether there was any change in the decision to grant a site for the Royal Academy at Burlington House?

Viscount PALMERSTON said, the exact arrangements for providing a site for the Royal Academy had not yet been settled, but he apprehended that the arrangement suggested by the last Commission for Maintaining the National Gallery in Trafalgar Square would be adopted, the House of Commons consenting to vote the expenses necessarily attendant upon such an enlargement of the gallery as would be required. There was no intention, under cover of this Vote, to transfer permanently to Kensington Gore any portion of the pictures which were now in the National Gallery.

Lord ELCHO suggested, that before any site was granted to the Royal Academy, an inquiry should be instituted into the mode in which the Academy fulfilled its functions, and into its general constitution. It was supposed to be at the head of art in this country, and he thought it important that it should be freely open to all artists, whether oil painters, water-colour painters, sculptors, or engravers. He wished inquiry to be made, whether the Academy was a school of art for the instruction of artists, and whether its honours were freely open to all artists in Great Britain?

Mr. AYRTON said, he could not but object to such enormous expenses for merely temporary accommodation. If it was proposed to remove the Royal Academy to Burlington House, surely twelve months would be time enough to provide temporary accommodation, and when that was completed, the space now occupied by the Royal Academy in the National Gallery would be available for these pictures. Supposing that were not so, why should not the temporary building be erected on the vacant ground at the back of Burlington House? Why then should they be removed to Kensington? The truth was, this was one of those intrigues against which the House of Commons found itself unable to contend. There was some one at the bottom of it; and, although the House protested against the removal to the extreme west of London, in the name of the inhabitants of the metropolis and of those who resorted to it either on business or on pleasure, everything was done contrary to the real interests of the public and against the wishes of the House. At whose instigation was this? How was it that against everybody's wishes the work was going on? The House had distinctly said it should not be done; yet now there was a proposition before the Committee of the House of Commons to Vote £9,000 to promote the inconvenience of the inhabitants of the metropolis. At whose instigation and for whose gratification was this? Was it that some one person might visit and inspect the works of art by going west instead of driving among the dwellings of the metropolis? He would remind hon. Gentlemen who represented country constituencies, that when their constituents came to London, they would be put to expense and the loss of a day to go to Kensington for the purpose of enjoying an inspection of these works of art. And again, he asked for whom was all this done? He had never been able to discover. Ministers objected; the House of Commons objected; and yet it was done! To please whom, and for what object he had never been able to discover. He made these observations that he might get, if possible, some explanation of this extraordinary fact, and he hoped that Ministers would tell them what were the electric currents which passed through the Government of the day, and under what influence they laboured, whenever these questions were considered. It was a most monstrous and insolent proceeding towards the House, and he hoped they would reject the Vote as a distinct declaration that the feelings of the people should be respected, and that Her Majesty's Ministers should act in accordance with those feelings, and not in accordance with opinions which they were either afraid or ashamed to recognize.

Lord J. MANNERS said, he was quite at a loss to know to what influence the hon. and learned Gentleman alluded, and, as one of the late Government who had discussed these temporary buildings, he could safely say no influence had animated their opinion on the matter. They were excessively puzzled where to find a site. The hon. and learned Gentleman suggested that the vacant ground at the back of Burlington House should have been selected, and that twelve months was ample time to erect a permanent building for the Royal Academy. The hon. and learned Gentleman must have had very little practical acquaintance with Government buildings if he supposed that in that short space of time any such building could be completed, and if temporary buildings had been erected there, they would have had to be pulled down before the permanent edifice could be finished. He took especial pains to inquire as to the best site, and, as far as his own opinion went, he thought no part so accessible as Carlton Ride. But there were objections to that, and just at the moment, most fortunately as he thought, an offer was made by the Science and Art Department, to allow temporary buildings to be erected at Kensington, where there was already the valuable collection of pictures of Mr. Sheepshanks. That the national collection of pictures was permanently established in Trafalgar Square was, in his opinion, as settled a point as anything could be in that House. On behalf of every department of the late Government he broadly and emphatically denied that there was the slightest intention whatever of placing these pictures permanently at Kensington. They were merely to be placed there as a temporary convenience, and because it was absolutely necessary they should be placed somewhere where they would be safe from fire and injury.

Mr. DANBY SEYMOUR could not see why these buildings could not have been as easily and economically erected in the square of Burlington House as at Kensington Gore. The temporary buildings would have been useful there, if the Government carried out what seemed to be the intention of successive Governments—namely, that of interfering with art and scientific societies, and making them mere handmaids of the State. That was a system against which he had for many years protested. Art and science had progressed in this country without a connection with the State. He doubted whether their progress would be equally satisfactory if they received buildings from the Government, and were otherwise connected with the State. The whole arrangement looked as if there was some underhand influence at work to induce the House to change its Resolution and so each item of the public collections was being successively moved to the west end of London, where none but the rich could enjoy them.

Mr. CONINGHAM said, that the explanations of the noble Lord were anything but satisfactory. It was proposed to give the Royal Academy a magnificent and spacious site for the erection of a building which would give them an unfair advantage over competing art societies. If any temporary edifices were to be erected he thought that the Royal Academy should erect a temporary building for themselves. He would remind the Committee that already £17,000 was voted for Marlborough House. The tendency of these Votes was to increase every year, and he feared the result would be that the country would take up a strong opinion against the arts. He should, therefore, support the Motion.

Mr. DANBY SEYMOUR asked out of what funds these buildings had been paid for, for it was evident the money had been paid.

Mr. STIRLING said, he did not understand why so large a sum was required for such a building. He was as much in the dark as before, after having heard the explanation given by the noble Lord of the transaction. It had been proposed to convert the building on Carleton Ride to this purpose at the cost of £1,000, which would have been nine times cheaper, or they might have hired a house even in the very neighbourhood in question for £1,000 a year, where the pictures might have been deposited till the arrangements of the Royal Academy were completed. This latter arrangement would save at least £7,000.

Mr. JOHN LOCKE said, he was not aware that the rooms recently occupied by the Royal Academy were to be used till next year. Could not the pictures which it was proposed to send to the temporary building be sent to those apartments after that Society had removed? Every hon. Member who had the interest of the country at heart must be astonished at a demand of £10,000 for such a building. That amount ought to provide a permanent building for those pictures. He believed the Royal Academy was in Trafalgar Square by sufferance. If so, the pictures should be removed from Marlborough House to Trafalgar Square, and the Royal Academy told that they should look out for another place for their next year's exhibition. It appeared to him to be a monstrous thing to vote £10,000 for the purpose for which that amount was now asked.

Sir JOHN SHELLEY said, the Vote was not for temporary buildings, at least so far as the Estimates were concerned. It appeared by the Estimates a portion of this Vote was for a fire-proof room, and he should be glad to hear from the Chancellor of the Exchequer if this Vote really was for temporary purposes.

Sir MORTON PETO said, he thought the Government, instead of spending £10,000 on such temporary erections, would have done better to have advertised for buildings in which these pictures could have been exhibited. It might have obtained the rooms of the British Institution in Suffolk Street, or the Polytechnic. The precedent of the Government spending the money first and applying to that House for a Vote afterwards was a very bad one.

The CHANCELLOR of the EXCHEQUER said, it was the misfortune of discussions of questions of art in that House that it allowed all the subjects connected with it to run into one another. On this Vote the House had discussed the constitution of the Royal Academy, its condition and relations to the public, and the site of the National Gallery. On the latter point nothing could be more clear than the statement of his noble Friend (Viscount Palmerston), that it was the generally expressed wish of the House of Commons that the Gallery should be kept in Trafalgar Square. With regard to the Royal Academy, it would be very inconvenient at that moment to discuss its relations with the Government; but he could assure the Committee there was no disposition whatever on the part of the Government to defeat the intentions of the House. It would be accommodated on some part of the site of Burlington House, but the disposal of that site was a question of great magnitude, and it would be quite inexcusable in the Government if it parted with the whole of it piece by piece. With respect to the question immediately before the House, he agreed with the hon. Baronet (Sir Morton Peto) that the practice of expending money without a Vote of the House was very objectionable; but what had been done was to meet a case of urgency, and took place before the Estimates could be brought forward. It would, perhaps, have been more convenient had the amount of this Vote been paid out of the Civil Contingencies, which were intended to provide for such urgent cases. It appeared that some progress had been made in erecting these buildings, and it was not possible to go back. It had also been asked why the Government did not make use of the rooms belonging to the Royal Academy. The answer to the question was, that the Royal Academy existed for two purposes, one primary, the other secondary; the exhibition of pictures was only the secondary purpose of the Academy, its principal object was teaching. Now, such were the conditions of the space occupied by the Royal Academy, that during the period of its exhibition of pictures it was obliged to suspend the teaching of its schools; and if the Government took the rooms of the Academy it would totally paralyze the means of teaching. Another suggestion was, that these temporary buildings should be raised on the vacant space at the back of Burlington House; but in the course of a year or two, when the space would be required for the permanent edifice, these temporary erections must be again removed and placed somewhere else; the inconvenience of the case would be thus aggravated. There was a great deal in the suggestion of his hon. Friend the Member for Perth (Mr. Stirling) that Government might have hired buildings for this purpose; but much could also be said against. If the buildings at Kensington were inconveniently situated with respect to the Tower Hamlets, they would be inconvenient with regard to some part of the metropolis wherever they might be placed. But at Kensington experience had shown that they were accessible to a large part of the population of London, not belonging exclusively to the upper classes, which derived from the collection there abundant enjoyment of a kind it never before possessed. The buildings for which the Vote was asked were temporary, as far as the pictures were concerned, but he understood they would be available for other purposes strictly germane to the Museum there, after the paintings were removed. The establishment at Kensington was a young and a growing one, and extremely popular. It was intended to be a repository of illustrations of art, and it could not remain stationary, or it would become a museum. With regard to the intrigues or mysterious influences an hon. and learned Member had referred to, they were quite imaginary; they were phantoms the hon. and learned Gentleman had perceived, and nothing more:

> "He sees a form we cannot see,"

and he appeared to be aware of much that they know nothing about. As far as we know, the purpose of the Vote was very simple, and was confined within very narrow limits.

Sir JOHN SHELLEY said, that as these buildings were only temporary for the purposes of these pictures, he trusted the public would have the benefit of them after the paintings were removed. Would they, for instance, be given, at the public expense, to the Society for Promoting Science and Art when the pictures were removed?

Sir HENRY WILLOUGHBY said, it was not consistent with the dignity of the Committee to discuss any Vote where the money had already been expended. In his opinion a systematic attempt had been made to set aside the authority of Parliament over the Estimates, and he should therefore support the Amendment.

Mr. MALINS said he should support the Vote if he had the positive assurance of the Chancellor of the Exchequer that these buildings were required for permanent purposes after the pictures were removed.

Lord ELCHO said, he expected that the collection about to be removed to the temporary buildings would take their place in the National Gallery when a suitable building should have been provided for the national collection.

Question put.

The Committee *divided*:—Ayes 116; Noes 73:—Majority 43.

Vote *agreed to.*

(21.) Motion made, and Question proposed,—

> "That a sum, not exceeding £5,000, be granted to Her Majesty, as a donation to W. H. Barber, in consideration of the sufferings he has undergone, and of his distressed circumstances."

Mr. BAILLIE COCHRANE remarked that the sum was inadequate to the losses Mr. Barber had sustained and the sufferings he had undergone; he had lost £10,000, and his sufferings were unmerited.

Mr. CLIFFORD observed, that he did not deny that the sufferings of Mr. Barber had been great, but it should be remembered that by this Vote the House was introducing an entirely new principle into the administration of the law. If the House was to compensate a man who had been found guilty by the verdict of a jury of his countrymen, then they must *a fortiori* compensate every man who was tried at the assizes and acquitted by the verdict of a jury; it was a logical sequence.

Question put, the Committee *divided*:—Ayes 124; Noes 24:—Majority 100.

House resumed.

Resolutions to be reported *To-morrow.*

KINGSTON-UPON-HULL ELECTION.

The names of the five Members appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Kingston upon Hull were called over; and Colonel Fulke Greville, one of such Members, not appearing within one hour after Four o'clock, Act [11 & 12 *Vict.* c. 98, s. 69] read:

Ordered,

> "That Colonel Fulke Greville, Member for the County of Longford, having been appointed to serve as one of the Members of the Select Committee to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Kingston-upon-Hull, and not having attended in his place within one

hour after Four of the clock this day, being the day appointed for swearing the said Committee, be taken into the custody of the Serjeant at Arms attending this House.

BURY ELECTION.—REPORT.

House informed, that the Committee had determined,—

"That the Right honourable Frederick Peel is duly elected a Burgess to serve in this present Parliament for the Borough of Bury.

"And the said Determination was ordered to be entered in the Journals of this House."

And it being Six of the clock Mr. Speaker adjourned the House till Tomorrow.

HOUSE OF LORDS,

Thursday, August 4, 1859.

MINUTES.] PUBLIC BILLS.—1ª Law Ascertainment Facilities.

2ª Militia Ballots Suspension; Military Savings Banks; Court of Probate, &c. (Acquisition of Site (No. 2); Universities Incorporation Act Amendment; Income Tax, &c.; Imprisonment for Small Debts; Queen's Remembrancer, &c.; County Cess (Ireland) Acts Continuance; Universities (Scotland); Constabulary Force (Ireland); Manufactures (Ireland) Acts Continuance; Galway Harbour and Port Act (1853) Amendment; Fishing Vessels passing the Nore; Charitable Trusts Acts Continuance.

3ª Cambridge University Commission (Continuance; Pawnbrokers; Boundaries (Ireland).

THE BUILDERS' STRIKE.

EXPLANATION.

EARL GRANVILLE: I wish to say a few words on a subject of some importance at the present time, in explanation of an observation which I made on a former evening during a conversation that took place relating to the unfortunate strike now pending in the building trade. I am informed, although I know not how correctly, that something which fell from me has been misapprehended by the men as conveying an idea on my part that the present strike is likely to exercise a useful influence upon the masters. I wish to explain to the House, in order to correct any misapprehension, that when I spoke upon that point it was entirely with regard to the effect of the anti-combination laws, which, in my opinion, have been most judiciously abolished. I have no hesitation in expressing my opinion, that it would be wrong to attempt to prevent combination among honest workmen for the assertion of their rights; but if workmen combine together to raise wages, or to obtain facilities or advantages for themselves, it is quite clear that such a course to be justifiable must be accompanied by certain conditions. In the first place, it must be clear that their demands are just; secondly, they ought, before embarking upon so hazardous a contest, to ascertain that they have a reasonable chance of success in their undertaking; and, thirdly—a most important condition—it is absolutely necessary that they should not in the slightest degree exercise any compulsion towards others as to entering into that combination. If each individual is left to act according to his own free will, and to assert his own claims in his own way, I hold it is perfectly justifiable for men voluntarily to associate together for proper objects. I beg to say that in any observations which I have made upon this subject I have referred to the general principle, and they certainly did not bear upon the present strike, which, from the explanations of those who defend it, appears to me to be entirely unjustifiable.

THE EARL OF ELLENBOROUGH said, that as he understood it, the persons engaged in the strike wanted to have nine hours' work instead of ten, at the same wages as they received for the ten. He should not enter into the question what the effect of that would be on capital, and in diminishing the profit on capital; but what he would say was, that the effect of the movement, if it succeeded, would be to, at one blow, strike away one-tenth of the manufacturing power of the country. It would be just as reasonable to diminish that power by decreasing the population of the country to the amount of 2,800,000 persons.

MILITIA BALLOTS SUSPENSION BILL.

SECOND READING.

Order of the Day for the Second Reading read.

Moved, That the Bill be now read 2ª.

THE EARL OF ELLENBOROUGH: My Lords, I cannot allow the opportunity to pass without expressing the strong sense of gratitude I feel to the Commissioners who have recently published their Report on the Militia. Not only have they brought forward many valuable suggestions for the improvement of the Militia, but they have appended a body of evidence to their Report which contains the most valuable although not the most satisfactory explanation, but, because it is not satisfactory, therefore the more valuable, since it shows in what condition we really are. With one of their principal suggestions I entirely agree—that the Militia should be recruited locally in particular districts. I also approve their suggestion that the period of training should be considerably extended. The Government, I suppose, are apprehensive of the increased expense; but it is quite obvious that unless the period of drill is very largely extended we shall not derive all the advantage we ought to derive from the Militia, for it cannot become a force capable of acting with regulars in the field. It is most imprudent, too, on the part of the Government, except upon extreme emergencies, to recruit the Line from the Militia. The more advisable course is to consider the Militia as the foundation of our military defence, and to have it, as far as possible, in a state of integrity. A perfectly new system has lately prevailed of embodying a considerable number of regiments at the same time. That system has been adopted under the impression that it is a good principle and a great improvement upon the original plan, and the regiments thus embodied having attained a degree of efficiency equal in many respects, if not altogether, to that of the regular army. It has been considered an advantage to embody one-fifth of the Militia every year, and at the end of five years to send back the formed soldier into the body of the population. I trust that no Government will lightly adopt the principle that this is a better plan than training the whole, as it destroys the character of the Militia into which it is customary for a man to volunteer for a short period only. When the whole Militia are called out for training a man knows that he only leaves his family upon a short period of service: but the moment you embody a regiment for a year you change the character of the service, and, in my opinion, very materially injure it. I do not object to the Bill now before the House, because, although it provides that there shall be a ballot and that it shall be suspended in successive years, yet, with respect to the Militia as it now exists, it was originally intended to be raised by the voluntary system, the ballot being only held over *in terrorem*. When the Militia was first formed in this country, it was very much more efficient than it now is; and I feel satisfied that if country gentlemen would adopt the same system of obtaining volunteers which was in use when the Militia was first established, the result would be very different, and we should be able to maintain the efficiency of the Militia. I think that the period of training ought to be extended to eight weeks in every year for all the regiments instead of embodying only a portion. This period might either be taken all at once, or—what would be more agreeable to both officers and men—might be taken at two different periods of the year. Less than that I do not think would be sufficient. This extension would involve a small addition to the expense, but it would be more than counterbalanced by the increased efficiency of the force. Looking forward to the event which I consider likely—as almost certain—to occur, under the changed circumstances of this and other countries, through the establishment of railways and the introduction of steam navigation, which give so great an advantage to that Power which takes the initiative, I cannot but desire to see at once that organization which in a moment of danger and alarm cannot be established, which no genius and talent can supply, and which time alone can provide. I should desire to see, in addition to what I may call the ordinary Militia of the Line, a further and more numerous Militia raised by ballot, solely for the purpose of being mustered, so that at the instant of war the whole force might be called out in an organized state. The only object of this force being to defend our own country against invasion, it would be idle to apprehend they could be used for any aggressive purpose. I throw out this suggestion for the consideration of the Government, which ought to take care and provide the certain means of national defence. When I look to the changes made in the military institutions of all the great States during the last twenty or thirty years, I feel perfectly confident that, unless we alter very materially our military institutions, we shall gradually decline from the station we have hitherto occupied, and shall no longer be considered one of the five great Powers of Europe. We offer too many temptations to be able to disregard our national defences. If we cease to be strong we shall be irretrievably lost.

The Duke of CLEVELAND said, that having had some considerable experience as a militia officer, he felt perfectly satisfied that it was impossible to maintain the Militia in an efficient state with its present organization. The requisite number of men could not be kept up without the aid of the ballot. The voluntary system had been tried for some time, and might in appearance be successful; but in reality there had been no increase. For the county of Durham the number of men raised under the old system was 460; the number under the new system was nominally 1,760; but then it was better to have a small force upon which they could depend than a large one which merely existed on paper. In 1858, for instance, in his own regiment, the number who answered to the call was only 320, and in 1859 only 206, out of the whole strength of 700 men. At first sight this might create some surprise; but when they considered that these men were called out for only three weeks, and that for the remaining forty-nine weeks they had to obtain employment for themselves, it was not to be wondered at. If they called them out for a longer period of service—for eight weeks, as the noble Earl suggested—he felt confident that they would have at least double the number of men answer to the call, and appear upon the training ground. It was perfectly absurd to hope for anything like efficiency with only twenty-one days' drill in the year. Besides, in point of fact the men did not have more than fourteen days' training under the present system, for of the remaining seven days four were occupied in marching to and from the training ground, the giving out and restoring the arms and accoutrements, and then there were the three Sundays. At the most, under the most favourable circumstances, there could not be more than fourteen days' drilling. Now the experience of all military men showed that three months' constant practice was the least time that was required to complete a man's drill, and make him fit to take his place in the ranks. Some men might take less time, and others greater, but with the average of men that was the very least time required to make them efficient. It was desirable to have the militia force as one of the material defences of the country, some means more efficient than these now in practice must be adopted. The Militia were as badly off for officers as they were for men. Of eight lieutenants and eight ensigns on the muster roll of the Durham Militia, only five lieutenants and not a single ensign appeared for training. This state of things required to be corrected, and he hoped that before another year was passed some means would be adopted for that purpose.

The Duke of Cleveland

LORD CHURSTON also contended that it would be impossible to keep up the Militia regiments under the existing system, inasmuch as men could not be induced to join them for so short a time. His opinion was formed after a service in the Militia extending over forty years, that the old system was better than the new. He hoped the Government would take into consideration the position in which they found the Militia, in reference to the small number of men called out for training compared with the number really on the roll. He cited the case of the regiment in which he himself served. On an occasion when they were embodied they were ordered to Ireland and they could only muster between 500 and 600 men, and were obliged to leave behind 400 whom they never could find. He likewise considered that the present system of recruiting was defective, particularly as regarded the age at which recruits were received. The order now was to recruit from the age of sixteen to forty-five; and by this rule the two branches of the service clashed in some respects; but if recruits were not received in the Militia until after twenty-two years of age — the age beyond which they would not be received into the Line—the two services would be kept entirely distinct, and the Militia would be composed of a class of men who were only eligible for that force. The mode in which volunteering from Militia regiments was carried on was most injurious to the discipline of the regiment and unpleasant to the officers. If men in the Militia who were eligible for the Line could be passed over at once, it would, he thought, be a great improvement, and the intervention of the recruiting sergeant would thus be got rid of, by means of which the men were now kept in a state of drunkenness and bad discipline for days. He hoped the Government, as they were about to take this question into consideration, would also keep in view the points to which he had called attention—namely, the mode of recruiting, the mode of transferring men to the Line, and lastly, the age at which they were to be recruited.

LORD AVELAND said, he was sorry to state that in a militia regiment of which he had cognizance, the strength of which was established at 1,000 men, but 400 men could be mustered on the last occasion of its being called out. He expressed an earnest hope that the Government would see the necessity of adopting some stringent measures by which Militia regiments might be kept in a state of efficiency, and which would have the effect of enabling the full strength of this army of reserve to be speedily assembled in the event of the occurrence of any sudden emergency.

THE DUKE OF CAMBRIDGE said, he merely rose in consequence of what had just fallen from the noble Lord (Lord Churston) with regard to volunteering from the Militia. He was at a loss to understand to what the noble Lord alluded at the present moment; for he was not aware that any volunteering was going forward, or had taken place for a considerable time. There had never been any objection or indisposition on the part of the Line to take volunteers from the Militia; but at present it rested very much with the colonels of Militia regiments whether they chose to give men to the Line or not. No demand whatever had been made on the Militia within this year. He did not agree with the noble Lord that the Militia officers and their medical men ought to have the power of furnishing men *ad libitum* to the army. He did not suppose that they would palm off from their regiments any men who were not fit for the army; but it was still of the utmost importance that they should be examined, and he could not help thinking, from the experience which he had now had, that many men would in that event be passed from the Militia to the Line who would be of no particular advantage to the Line. Under these circumstances, he should be sorry to see that very wholesome check taken off which he knew had always hitherto been the practice of the service. But while he should earnestly deprecate any course that would interfere with the efficiency of the Line, he admitted, on the other hand, that it would be extremely impolitic and unwise to make the Militia inefficient for the sake of the Line; but he was one of those who thought it always of the greatest importance to keep up the Line, not at the expense, but certainly with the aid, of the Militia. With regard to the general question, he rejoiced that it had been brought forward by his noble Friend, for he himself had always expressed the opinion that, whatever force they had, they ought to know that it really existed. Nothing was so unfortunate as a fallacious return. There could be no greater mistake than to induce the country to suppose that we had in reserve a nominal force of 120,000 men, whereas, in case of emergency, one-half of these at least would be absent. The country would have, he thought, a right to say, "If you had told us you had not 120,000 men, we should have been prepared to have acted on some new arrangement by which a larger number of recruits would be forthcoming; but, having been always told that the Militia consisted of 120,000 men, we had a right to assume that such a force, within a fraction at all events, would be likely to be embodied." And they would call on those who were responsible to say how this discrepancy had occurred. The truth was that this discrepancy had occurred because the new system had never been fairly tested till now. Some time ago, when the whole of the Militia were embodied, the matter was very simple, because there was no doubt that numbers of men would voluntarily enlist in an embodied regiment, while they would refuse to join one which was disembodied. The result of two or three years' experience had shown that the embodied regiments were, generally speaking, pretty full, while the numbers in those which were not embodied were very incomplete. This evidently showed that there was something wrong and that a remedy ought to be applied. He was quite certain from a conversation which he had had with his right hon. Friend now at the head of the War Office, that he was quite alive to the importance of this subject, and he hoped that some Member of Her Majesty's Government would express an opinion somewhat in accordance with that which he had now ventured to deliver; but at all events, he was sure that the subject at such a moment as this was well worthy of their consideration, and that it would not be neglected by Her Majesty's Government. The observations which he had now made he had put forward simply from a desire to see an efficient reserve force maintained, and in doing so he did not believe that they ought in any way to be regarded as offensive or objectionable in any quarter whatever. He was one of those who thought it necessary to keep up the military establishment of the country independently of any other consideration;—and he believed if this were done panics such as they saw from time to time would not arise. Because, if they knew that their resources were in hand and were available, and that at any moment they could put their finger upon them, everybody, he thought, would be satisfied with the state of our preparations; and, even in times of depression and anxiety, they would be content to leave the management of these resources in the hands of whatever Government might happen at the time to be in power. He again repeated that he thought it of the greatest importance that our resources should be always kept in hand, and thus they would prevent those continued panics which he was convinced were highly detrimental to the interests of the country.

THE EARL OF LEITRIM expressed his regret that the old Militia system should have been departed from with a view of establishing an army of reserve, which was quite a different force, and which was, he thought, perfectly compatible with the Militia system as it formerly existed. Nothing could be more objectionable than the way Militia regiments were commanded in Ireland, where there were three different classes of colonels, each with a separate position, standing, and description of patronage: and he thought that in the appointment of officers more weight should be given to the recommendation of the officer actually in command. He thought it was also to be lamented that the aristocracy should virtually have been deprived of the power of raising a force for the defence of the country, and that the placing of the entire force in the hands of the Executive was a system that was attended with danger.

THE EARL OF DONOUGHMORE said, that he had found in his experience that practically every attention was paid to the recommendation of the officer in command of a regiment. The pay of the subalterns was not sufficient to meet the necessary expenditure of the officers, and as the Militia offered no career to a young man of ambition, holding out to him no prospect of promotion such as was afforded by the Line, he was not surprised that the Government found it difficult to get properly qualified young men to serve as subalterns. This was a point of great importance, and he hoped that the attention of the Government would be directed to it.

THE EARL OF RIPON said, none of their Lordships who were acquainted with the present state of the Militia would be surprised at this discussion. The statements of the noble Earl and the noble Duke opposite were confirmed generally by the accounts which reached the War Office. He agreed with the illustrous Duke on the cross benches that in the present state of affairs it would be not only useless but unwise to conceal the real state of facts as to the condition of the Militia. There could be no doubt but that condition justified the description of the noble Earl (the Earl of Ellenborough). The disembodied Militia was 40 or 50 per cent below the proper quota, and although the embodied Militia was something better, it was still far from being in a satisfactory state. On behalf of the Government he begged to thank the noble Earl for bringing forward this question, as well as for the manner in which he had brought it forward. In many of the views expressed by the noble Earl he entirely concurred, and could assure him that not a few of them were under the consideration of the Government. One most important point related to the prolongation of the period for the training of the disembodied Militia. It was said, and he thought truly, that twenty-one days was too short a time; and although as at this season of the year most of the regiments either had been out, or were just going out, it was not the intention of his right hon. Friend at the War Department to make a change this year; but he proposes hereafter, in accordance with the recommendation of the Militia Commission, to extend the period for training to twenty-eight days. He knew the noble Earl (the Earl of Ellenborough) would not consider that period sufficiently long; but his right hon. Friend, upon a consideration of the whole question, and taking into account the Report of the Militia Commission, was not at present prepared to go further. There was another matter, which was under the consideration of the Government—namely, whether the recruits should at once undergo a certain amount of drill at the head quarters of the regiment—a sort of preliminary training. He could not now express any opinion how far such preliminary training might be supposed to stand in the stead of the ordinary training, but it certainly was a subject which well deserved attention. As to the embodied Militia, there was no doubt the men would be better trained and drilled when embodied for a certain length of time. They would, then, no doubt, have more perfect battalions; but they must also take care not to change the character of the force, nor make it too closely resemble that of the Line, for that would be to keep men away from their families for a longer period, which would make it more unpopular. Instead of being for the recruiting officer, as at present, the people would be against him. If it were necessary to have a certain number of battalions maintained for a continuance, then it would be better to increase the regular army. As to the new supplementary organization which had been suggested, he felt quite sure their Lordships would not now expect him to give any opinion upon the question offhand. Every such suggestion which fell from the noble Earl deserved the best consideration that could be given to it, and he felt convinced would have the attention of his right hon. Friend the Secretary of State for War. The fact was that the question of recruiting was at the bottom of the whole; and this, with the other parts of the subject, would be well and carefully weighed by the Government during the recess. Some of the suggestions of the Report of the Commission the Government were most anxious to adopt at once, and for that purpose a Bill had been brought into the other House of Parliament by his right hon. Friend, who, however, would, at this period of the Session, only attempt to pass into law such recommendations as would cause no great opposition. As to the proposal of the noble Duke (the Duke of Cleveland) to lower the quotas of the Militia, he agreed with him in thinking it was better to have a smaller *bonâ fide* force really available, than one which only looked large upon paper; but he thought they ought to see if they could not recruit up to the present quota, which had been fixed proportionately to our population, before they determined to reduce it. As to volunteering from the Militia into the Line, he entirely agreed with the illustrious Duke that it was desirable that both Militia and Line should go on concurrently—that one should not be sacrificed to the other, but that both should work harmoniously together. As to the observations of the noble Earl (the Earl of Leitrim) upon the Irish system, he must remind him that the Militia there was substantially under the control of the Irish Government, and therefore he was less acquainted with it; he believed, however, that the system there was the same as had been followed from time immemorial in this country. He could assure their Lordships he, in common with every Member of the Government, felt deeply impressed with the importance of the whole question, as well as with its urgency. We must have a Militia force, and it was desirable, and indeed necessary, that it should be made efficient for the purposes of defence, as an army of reserve, and not for purposes of aggression, or as directed against any foreign Power in particular, so that we might have nothing to fear, and so that we might be enabled to continue to maintain that high position which England had hitherto occupied.

Lord CHURSTON explained, that he had not objected to volunteering, but only to the mode in which the men were passed into the Line.

Motion *agreed to.*

Bill read 2^a accordingly; and *committed* to a Committee of the whole House *To-morrow;* and Standing Orders Nos. 37 and 38 to be considered, in order to their being dispensed with.

MILITARY SAVINGS' BANKS BILL.

SECOND READING.

The Earl of RIPON, in moving the second reading of this Bill, explained that its object was to consolidate all the Acts already in existence on this subject, and also to make one or two Amendments in them. Heretofore it had been the practice to invest in the Military Savings' Bank certain military funds, such as the children's clothing funds, sergeants' mess funds, and library funds; but Mr. Tidd Pratt had given an opinion that this practice was not consistent with the law, and it was proposed to alter the law, so as to make the practice legal. The present law also gave a general power to the Secretary of State to make regulations with respect to these banks, and it was proposed to enumerate in one of the clauses of this Bill the different subjects on which that power could be exercised. The noble Earl also mentioned that the sum at present invested in these banks was about £200,000.

Bill read 2^a and *committed* to a Committee of the whole House *To-morrow.*

IMPRISONMENT FOR SMALL DEBTS BILL.—SECOND READING.

The LORD CHANCELLOR, in moving the second reading of this Bill, explained that its principal object was to limit the power possessed by County Court Judges of committing for contempt to cases in which debtors had obtained credit by false pretences, by means of fraud, or breach of trust, or had contracted the debt without reasonable expectation of being able to pay, or had fraudulently made away with their property, or, being in possession of sufficient means, refused or neglected to pay. There was also a clause limiting the time of imprisonment under one judgment to eighty days; but this point required great consideration, and he should not be inclined to press the clause on the present occasion.

LORD CRANWORTH thought that the principle of the present law was right. That principle was, that when a man had been found to owe a debt which he neglected to pay, he might be again summoned; he might then be examined by the Judge, with a view to see whether he was able to pay, and if being able he refused, he might be sent to prison. But suppose he did not choose to appear, it was manifest that he would escape altogether. It seemed to him that the Judge ought to have the power to compel the appearance of persons against whom a second summons was taken out.

Bill read 2ª (according to order) and *committed* to a Committee of the whole House *To-morrow.*

House adjourned at quarter past Seven o'clock, till To-morrow, Half-past Ten o'clock.

HOUSE OF COMMONS,

Thursday, August 4, 1859.

MINUTES.] PUBLIC BILLS.—1º Public Charities; Cottages (Scotland); Reserved Force; Corrupt Practices Prevention Act (1854) Continuance; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Inclosure.
2º Militia Laws Amendment; Divorce Court.

SUPPLY—CIVIL SERVICE ESTIMATES.

Order for Committee read.

House in Committee.

Mr. MASSEY in the Chair.

(In the Committee.)

(1.) £1,000, Carisbrooke Castle.

(2.) £6,000, Class Room accommodation, &c., King's College, Aberdeen.

MR. LAING thought he might save a good deal of discussion on this vote by declaring that no portion of the money would be applied to anything that might prejudice the appeal now pending to the Queen in Council. No expenditure would be incurred except for urgent repairs.

COLONEL SYKES said, that on that understanding he would not oppose the Vote.

Vote *agreed to.*

(3.) £11,500, Embankment Wall in Thames Street, Windsor.

MR. BLACKBURN inquired why this Vote had not been included in the Estimates for Royal Palaces?

SIR HENRY WILLOUGHBY said, that this embankment seemed to be some improvement of the town of Windsor, and it was not fair to impose the charge on the taxpayers of the country.

MR. TITE said, the work was one of great public convenience, and not at all in connection with the Palace.

MR. FITZROY said, that the wall was part of the Palace, and he confessed he did not see why it was not included in the Vote for the Royal Palaces.

Vote *agreed to.*

(4.) £60,000, New Bridge at Westminster.

SIR HENRY WILLOUGHBY said, it seemed that the expenditure would be £482,000, including the approaches on the west side of the bridge. He wished to know whether this included also the approaches on the other side, and if not, how much they would cost? The House gradually got entangled in heavy expenses by being merely the registrar of expenses over which it had no control. There appeared to be no reason why Middlesex and Surrey should not, like every other county, pay for their own bridges. However, he wished to obtain from the Government some pledge that the expense would not exceed the very large sum he had mentioned. The whole fee simple of the bridge estate, of the value of £172,000, the proceeds of which used to keep the bridge in repair, would now be gone, and deducting that sum from £482,000, the balance to be provided out of the public purse was £310,000. As he understood there remained £174,000 to be voted besides the votes of this year. He wished to know from the right hon. Gentleman opposite whether £482,000 would complete the works?

MR. FITZROY said, he had come into office when the undertaking was nearly completed, and he was not responsible for the expenditure; but according to the solemn assurance of the engineer, he could state that the sum mentioned would cover the completion of the work, together with approaches on the west side. The £96,921 which remained unvoted would, he believed, complete all the works. Of this £60,000 was now proposed to be voted, and there would remain to be voted next year £36,921. One cause of expense had been the dealing with the old foundation. He believed that one half of the bridge would be open in November. With regard to the suggestion that the counties of Middlesex and Surrey should provide the bridge, it would be found by reference to the Report of 1854 that Parliament had always exercised a control over Westminster Bridge.

Mr. BAILLIE COCHRANE said it was to be regretted that the new public bridge, and every improvement connected with it, were not submitted to proper estimates.

Mr. BLACKBURN thought that the expenses of this bridge ought to be borne by the counties of Middlesex and Surrey, and not thrown upon the public funds. If those counties would not pay the expenses of its construction, they ought, at all events, to pay for its maintenance; and he would suggest that the Government, having completed the bridge, &c., should hand it over as a very handsome present to the counties; and, if they declined to accept it, then a very small toll on the bridge would soon repay the Government the expense which it had incurred.

Mr. ALCOCK said, that Parliament had taken the bridge estate, and it would be entirely out of the question for the two counties of Middlesex and Surrey to receive the bridge back *minus* the property.

Colonel DUNNE inquired what had become of the bridge estate?

Mr. FITZROY replied, that the Treasury, thinking the requirements of the public service might render it essential to buy that estate for public purposes, advanced its value, £110,000, for the purpose of the bridge, and directed the Office of Works to act as regarded that estate as trustees for the benefit of the public.

Mr. HADFIELD objected to the whole country being called on to pay for improvements in London. It was reported that part of the expenses was incurred in consequence of some mistakes in the plans or execution.

Mr. FITZROY repeated, that the excess of expenditure arose from the difficulty of dealing with the foundation.

Mr. TITE said, that the delay in the progress of the works was caused by the failure of the contractor, a circumstance over which the Board of Works could have no control.

Mr. AYRTON said, the cost and delay of the bridge had arisen in a great degree from the constant *dilettanti* intermeddling of the House of Commons with metropolitan improvements. Those hon. Members who complained of the expense of metropolitan works had themselves alone to blame for it; for, instead of attempting to manage the affairs of the metropolis, they should allow the metropolis, like every other large town in England, to manage its own affairs. They were afraid, however, to give municipal institutions to the metropolis, lest the metropolis should overshadow the dignity of the House of Commons; and they managed to get a good deal out of the metropolis while complaining of its expense. The house-tax was so contrived that the inhabitants of the metropolis paid as much as all the other inhabitants of England, and the tax on hackney coaches, which wore out the metropolitan roads, went into the public Exchequer.

Sir HENRY WILLOUGHBY observed that he had done his best to give the metropolis a Metropolitan Board, but he thought it would be difficult for the Board to satisfy its constituents when a matter of taxation was concerned.

Vote *agreed to*, as were also the following Votes:—

(5.) £40,000, Western Approaches to New Bridge at Westminster.

(6.) £100,000, Purchase of Site, Foreign Office.

(7.) £30,000, New Foreign Office.

Mr. W. WILLIAMS inquired whether £30,000 formed the cost of the building, or whether that was merely a sum on account?

The CHANCELLOR of the EXCHEQUER said, the Committee would think themselves very fortunate indeed if they could flatter themselves that it would build the Foreign Office. He would take this opportunity of explaining what the present Vote was, and in what position the Government proposed to leave the general question, with respect to the erection of the new Foreign Office. The chief part of the present Vote would be required for the preparation of the ground. It was well known that the foundations of the buildings in that part of London, where the new Office was to be erected, were very bad, and in order to raise there a solid and durable structure it was necessary to prepare a bed of concrete on which the building should rest. That was a costly work, and it was for preparatory proceedings, and the one he had just mentioned chiefly that the present money was wanted. With respect to the expense of the building, he would state how the matter stood, and it was so far satisfactory as to be able to say that the Government were in the position, for the first time in the history of public edifices in this metropolis, to state to the House what the real and outside cost would be. The result might be that the Committee would be very much startled at the figures mentioned, because heretofore there had been (not, however, from any systematic design,) moderate sums exhibited in the first instance, and thus the House had been drawn on, and found itself inextricably pledged to go forward with charges without limit. The figures he was now going to mention might be relied upon. Mr. Hunt, the Surveyor of the Office of Works, was called before the Committee which sat on the reconstruction of the Foreign Office; he saw the designs prepared, and he gave his opinion on the cost of all those designs. The sum Mr. Hunt mentioned for the erection of a building according to the design of Mr. Scott was £230,000. That did not include the whole expense, but everything comprised in the design. A true test of the value of that estimate of the Surveyor of Works was afforded by comparing it with tenders made by responsible parties. The tenders had been received within the last week or ten days, and a responsible builder was ready to undertake the erection of the building for £232,000. This result was very creditable to Mr. Hunt's judgment. There were additions for lighting, fixtures, for the preparation and finishing of the ground, and contingencies of a certain amount, always known to emerge from any design whatever. Mr. Hunt had made allowances for these, and the complete finishing of the building, supposing it was erected on Mr. Scott's designs, which included a set of reception rooms for any Minister and a residence for the Foreign Minister, would cost, making a proper charge for the architect's commission, &c., somewhere about £310,000. Adding to that the sum necessary for purchase of the site—namely, £100,000 or £120,000, the total amount would be £430,000. If it was the pleasure of the House to entertain the plan on that scale, they now knew the whole cost. It had to be considered, however, as that was a large sum, whether an economy of space could be effected in the Foreign Office, and whether it was necessary, prudent, or desirable that a residence should be supplied to the Foreign Minister within the Foreign Office. As it would form part of the building, the furnishing of it would necessarily be thrown upon the public, and the addition of such a building would entail no less a charge than £30,000. The residence was included in the estimate of Mr. Hunt. With regard to the reception-rooms, it was the opinion of the architect, that if a residence for the Foreign Minister was omitted from the plan, the Colonial Office as well as the Foreign Office might be included within the same building. As far as the Government were concerned, they would be glad to have the opinion of the Committee. Very great interest was felt with regard to the nature of the design. On that subject there was a material contest of opinion, and the Government were not prepared at this moment to propose a solution of the difficulty. He thought it was clear, from the evidence given before the Committee last year, that there was no very important difference in point of cost between the Italian and Gothic styles of architecture. The noble Lord the Member for Leicestershire (Lord John Manners) had the other day asked that no steps might be taken by Her Majesty's Government during the recess to prejudge or foreclose the question as to the design and the style of architecture that should be adopted, and he believed that his noble Friend at the head of the Government was quite prepared to give such a pledge.

Lord ELCHO said, it appeared from the evidence which had been adduced before a Committee of that House, that the present Foreign Office was in such a state, that whenever receptions were given by the Foreign Minister it was found necessary to prop it up, and the Foreign Secretary sat in his room writing important despatches, with the chance that at any moment the roof might come down upon his head. They had been told that this Vote was merely for the purpose of establishing a solid concrete foundation for the proposed edifice, and that by assenting to it they were in no respect committed to the style of the building. The noble Lord at the head of the Government had, however, stated to a deputation which waited upon him the other day, that Mr. Scott's design was one of the most monstrous things he had ever seen—that it was more fitted for a monastery than anything else, and that as long as he held office he would never consent to the adoption of Mr. Scott's plans. The noble Lord evidently wished to have a building in a totally different style. Competition had been invited on this subject; designs had been sent in; premiums had been awarded; the responsible Minister at the Board of Works had selected a certain design: the architect had been directed to prepare plans and models, but it appeared that all this expenditure of money, time, and labour was to be thrown away, because upon the advent of a new Government the First Minister of the Crown declared, that so far as it depended upon himself, the plan which had been adopted should not be carried out. Now, the proceedings before Election Committees had already reduced the majority of his noble Friend from fourteen to six, and if those investigations continued with the same result, this majority of six might soon disappear. It might happen that at the commencement of the next Session, before the question of building a new Foreign Office could be brought before the House, a vote of want of confidence in the Ministry might be carried, and after the expense of preparing the new plans which he understood his noble Friend had directed Mr. Scott to prepare, had been incurred, the successor of his noble Friend in the Premiership might be in favour of an edifice in the Gothic style of architecture, and Mr. Scott's Italian design would in turn be discarded. Thus Government after Government might play at see-saw with the subject. He might remind the Committee that the hon. Member for Bath (Mr. Tite) and the former President of the Board of Works (Sir Benjamin Hall) had complained that the late Government had acted unfairly towards the competitors in the selection they had made, inasmuch as, while three prizes had been awarded, the gentlemen who obtained the first and second prizes had been set aside, and the design of the gentleman who obtained the third premium had been selected. He must say that he thought the course pursued by his hon. Friend (Mr. Tite) in that House was somewhat inconsistent with his conduct in the Committee, for the hon. Gentleman had presented a sort of draught report to the Committee strongly advocating the claims of Mr. Pennethorne, the architect employed by the Board of Works. His hon. Friend now recommended that the designs of the competitors should be taken in order of precedence, but he represented to the Committee that if the erection of large public buildings were awarded to architects by competition, Mr. Pennethorne would be left without occupation and emolument, and he urged very strongly the claims of Mr. Pennethorne. He (Lord Elcho) proposed a resolution to the effect that the Committee, having considered the plans previously prepared by Mr. Pennethorne, were of opinion that in the erection of a new Foreign Office a reference should be given to the successful competitors. That Resolution was carried by eight "Ayes" to four "Noes," and he found at the head of the "Noes" the name of the hon. Member for Bath. The Committee came to the conclusion that, although it was desirable that the architect should be selected from the prizemen, there was nothing in the terms of the original agreement laid down by Sir Benjamin Hall that in any way bound the Government to adopt any of the designs which were sent in. It would manifestly have been contrary to the public interest that any such arrangement should have been made, for it was impossible to tell beforehand whether any architects of eminence would engage in the competition. It was thought, however, that there was such an amount of merit in the first three designs that the erection of a new Foreign Office might be intrusted to any of the gentlemen by whom they had been prepared. A selection was made and the design of Mr. Scott was adopted. He now came to the question of the architecture, which was connected more or less with the choice of the architect. Premiums were awarded to seven of the designs sent in, and of these designs four were Gothic. There was, of course, great difference of opinion on the subject of style, but he thought the objections which had been made to the Gothic style would not hold water. The objections made to that style were, that it was unsuitable for public offices, because, although gay without, it was not light and airy within; that it was costly; and that it would be incongruous with surrounding buildings. Now, it appeared from evidence given before the Committee that the windows of the building designed by Mr. Scott would on comparison with those of several public edifices which had been erected in London in the Italian style be much larger—in some cases 50 per cent larger. Mr. Scott stated in evidence that he had examined seventeen public buildings in London in the Italian style, and that he found the windows in the edifice he had designed exceeded in size those of any of them. The Committee had deemed it their duty to go narrowly into the evidence on these points, and they reported that with regard to cheapness, commodiousness of arrangement, and facilities for light and ventilation, they considered that no material preference existed on either side. With regard to the objection, that a Gothic edifice upon such a site would be incongruous with the buildings by which it was surrounded, he thought that would be rather an advantage than otherwise; for nothing was to his mind more disagreeable than rows of houses built in the same monotonous style. The new city of Edinburgh, and Berlin, and Paris had been deformed by too great congruity. The New Town of Edinburgh was built in an uniform style, but it was not to be admired, and the diversity of the Old Town was much more pleasing to the eye; Berlin was one of the most uniform cities of Europe, and was by far the most monotonous; and, in the magnificent and uniform Rue de Rivoli one's eyes rested with delight upon the tower of St. Jaques de la Boucherie, and upon the Gothic pile of the Sainte Chapelle. Again the appearance of the old city of Venice and other cities where Gothic buildings were interspersed with others, was much more grateful to the eye than a tiresome monotony of the same style, however beautiful the design, throughout. He would venture to say that internally Gothic buildings were far lighter than those built in the Italian style. He believed that one of the first buildings erected by the hon. Member for Bath—who was now the great advocate of the Italian style of architecture—and which established his professional reputation, was a church in the Gothic style. In his opinion, a Foreign office, in the style proposed by Mr. Scott, would be a great ornament to the metropolis, and he believed that internally it would be as convenient, or perhaps more so, than any Italian building that could be erected. He had himself no partiality for the one style or the other, but, after the matter had been fairly considered by competent authorities and a decision had been arrived at in favour of the Gothic style, he thought it was almost absurd that the whole question should be thrown over for another year. He might add that, although the noble Lord at the head of the Government had described Mr. Scott's model as a monstrous design, the *Building News*, the *Architects' Journal* and gentlemen who had devoted their lives to the study of architecture, bore the strongest testimony in favour of Mr. Scott's plan.

Mr. TITE said, that the noble Lord who had just sat down had attacked him because he (Mr. Tite) had abandoned Gothic architecture and was opposed to it, though by means of it he had obtained his first professional success; but he begged to remind a noble Lord that tha was a design for a church and not for a public office, nor was it Lombardo Veneto, but he was sorry to say that he thought that they were already committed to a very considerable extent to the architect, and to a particular design. They had been told that contracts had been offered for the execution of Mr. Scott's design for £232,000; but, in order to arrive at that conclusion, from £5,000 to £10,000 had already been spent, and what were called "extras" might very considerably increase the amount to be expended. One item had, however, been altogether omitted from consideration. The designs exhibited in the library showed that a frontage towards Parliament Street was contemplated, and the cost of the mass of buildings which must be pulled down in order to show the front of the new India Office was estimated at £150,000. He believed the House was embarking in a project which could not be completed at the outlay, one way or another, of less than £1,000,000. With regard to the Foreign Office, he had in the Committee defended Mr. Pennethorne's design, because it appeared to him to be very much the more economical one, and because it involved no encroachment upon the Park; but the gentlemen who had entered into this competition could not exercise any discretion, for the site for which they were required to design a building was chalked out. In his opinion, Mr. Pennethorne's design, which kept to the present line of buildings, was the best and cheapest, for he proposed to erect a Foreign Office for some £80,000 or £90,000. If they abandoned Mr. Pennethorne's design he thought they were bound to take the design which had obtained the first premium; but, as there was some difficulty about that, they should, in his opinion, have taken the second design that obtained a prize. The second prize plan had, however, been passed over, and the third design had been selected, no doubt because it was in the Gothic style. In his opinion, and that of a very large majority of professional architects, the Italian moderately applied, with sufficient amount of decoration, was better adapted for the purpose of such buildings as were required than the Gothic style. Although, in his opinion, the Gothic style was adapted to ecclesiastical and probably also to domestic buildings, he did not think it was suited to the ordinary purposes of a public office. No one would like to sit all day in a room lighted by heavy church windows. He wished to say that he had no personal feeling in this matter, for he knew as little of Mr. Banks as he did of Mr. Scott, whose eminence as an architect was unquestionable. It was said that the style of Mr. Scott's design was national; but it was derived from Louvain, Sienna, and Milan; while Sir Christopher Wren, Inigo Jones, Sir Charles Barry, and other architects knew very well what they were about, and had introduced a style of architecture which was convenient, suited to the climate, and congrous with surrounding buildings. He might observe that that the Committee had consulted Sir Charles Barry, who had himself sent in a design in the classical style of architecture, and he expressed his opinion that there were towers enough in this neighbourhood, and that the *coup d'œil* required a greater degree of repose. With regard to Mr. Scott's plan, he (Mr. Tite) admitted the great beauty of the drawings, and the architectural skill of the design, but it included two enormous towers, which, in his opinion, were objectional and incongruous in such a position. He believed that if the House adopted this plan, apart from the erection of an Indian Office, they would engage in a work requiring an outlay more nearly approaching £600,000, than £400,000; and he submitted that in times like the present they were not justified in incurring so serious an expenditure.

Sir JOHN SHELLEY, as a member of the Committee on this subject, could not agree with the noble Lord that a large majority of that Committee were in favour of adopting the Gothic style of architecture, and he thought the matter ought to have received more mature consideration before the plan of Mr. Scott had been adopted. As to the case of Mr. Pennethorne, he believed a strong opinion was entertained by the Committee that, as they advertised for designs, and as premiums had been awarded, the gentlemen who had engaged in the competition and had obtained prizes, were entitled to a preference over architects who had not competed. He thought — and he believed that was the impression of the Committee—that there was no necessity for providing in the new building a residence for the Foreign Minister, although it might be desirable to provide commodious rooms for official receptions. He apprehended that no one was likely to be appointed Foreign Secretary who had not already a private residence of his own in which he would prefer to live rather than to move, certainly suddenly, his family into the residence provided for him, and which he would in all probability have to quit at very short notice.

Mr. BLACKBURN was of opinion that in erecting a national building of this kind they ought not to evince a niggardly spirit —they should have a building worthy of the country, and one which their descendants should not be ashamed to look at; and if such a building as was required could be erected for £250,000, or even £300,000, as he was led to suppose from the statement of the Chancellor of the Exchequer, he did not think that was too large an amount to devote to such a purpose. He feared that with respect to these buildings they might be led into the same error which had been committed in the case of the Houses of Parliament, and that after an architect had been selected, instead of being left to attend to his own duty, he would be exposed to interference on the part of persons who proposed plans and schemes of their own. Without expressing any opinion as to the Gothic or classical styles of architecture, he thought that, having obtained a good architect, the best course would be to allow him to erect a handsome building on the condition that it should be suitable for the purposes required, and should not exceed in cost the amount of the estimate.

Mr. BAILLIE COCHRANE deemed it of great importance that in the new Foreign Office apartments should be provided which would enable the Minister of the Crown to receive foreigners in a manner befitting the dignity of this country.

Mr. H. A. BRUCE said, he hoped that whatever the style of architecture adopted the building would be worthy of the wealth and high character of the country. For himself he approved the design of Mr. Scott, who had the highest reputation as a Gothic architect. The noble Lord (Lord Elcho) condemned the plan, but he retained the architect. Now he (Mr. Bruce) ventured to express a hope that if Mr. Scott were retained as the architect he would be permitted to carry out a design congenial to his own taste. They must take care not to fall into the mistake committed in regard to Sir Christopher Wren who, having great reputation as a Palladian architect had been employed to erect two Gothic towers to Westminster Abbey. Naturally he performed the work in the most unsuccessful manner, and his two cumbrous erections were a great disparagement to the beauty of that noble edifice. The Italian buildings in Oxford and Cambridge had been alluded to. He was willing to rest the decision of this question on a comparison of those buildings and the Gothic structures in their immediate neighbourhood.

MR. CONINGHAM observed, that after the architects, not only of this country, but of Europe, had been invited to compete, and had been put to considerable expense in furnishing designs for the new Foreign Office, the designs of the principal prizemen had been cast aside, and the decision of the judges had been reversed. It was evident that Mr. Scott had been selected as the architect because the building was to be in the Gothic style, but the moment that decision was set aside then the question of the appointment of the architect should be fully and fairly considered. He congratulated the noble Lord at the head of the Government on his spirited resistance to any further invasion of the Goths and Vandals. He trusted that the noble Lord would adhere to the answer he gave to the deputation, and not allow a whole street of Gothic architecture to be added to the over-decorated and overdone House in which they were now assembled. All the common sense of the House and of the country was against the adoption of the Gothic style for the new Foreign Office.

SIR EDWARD COLEBROOKE said, he was himself somewhat favourable to the Palladian style, but he thought they should not lose sight of the fact that the House had before it a design in most excellent taste, and he hoped the House would not throw away the chance of having such a handsome building raised, without knowing upon what they were likely to fall back after rejecting it. He trusted they would not recur to the plan which obtained the first premium, which he thought most objectionable. He understood that the noble Lord at the head of the Government on a former occasion instanced in favour of the Italian style a number of edifices raised in this metropolis. Was the National Gallery among those edifices? He referred to that building to show that they were not always sure of securing a good building by adopting the Italian style. He had noticed with great pleasure how much Mr. Scott's design had been improved from the first drawing by being rendered more simple. He was quite willing to agree to the present Vote on the condition that it was to be clearly understood that nothing would be done to commit the House or the Government to any particular design in place of that one.

MR. CROSS said, that there was a strong feeling out of doors in favour of the design of Mr. Scott, and the objections which were urged against the plan in that House appeared, in his opinion, to arise from the ignorance of hon. Members respecting the character of Gothic architecture, which, he contended, was not so monotonous in its character as had been stated by some hon. Gentlemen.

MR. STIRLING calculated that the expenses already incurred for premiums for the designs, and other matters connected with them, could not be much under £10,000. The question then was whether, after having got a good thing of its kind at a very great expense to the country they were to throw it aside as altogether worthless, because the noble Lord at the head of the Government happened to have a prejudice in favour of the classic style of architecture. But did the House know as much about the probable cost of the building as it ought to know? He could not help thinking that the sum of £30,000 now proposed for a concrete foundation was a very large sum; but even with that the House did not know but what they were opening a bottomless pit, such as they had taken in hand when they commenced building the Houses of Parliament. He observed in the newspapers that a tabernacle was about to be erected for Mr. Spurgeon for £21,000, and the concrete foundation was to cost £500. According to this proportion between the costs of the foundation and of the structure, the new Foreign Office would occasion an expenditure of somewhat like £1,200,000. With regard to the question of style, he was fond of both styles of architecture. He knew that there was a very natural prejudice against Gothicism, and certainly anything more wearisome than that House, with its sacrifice of convenience to a constant repetition of insipid ornament, could not be conceived; but, as regards light, he thought that that House had been somewhat unfairly treated, and in the committee-rooms there was positively more light let in than was often wanted. With respect to Mr. Scott's design, it was shown distinctly in the last discussion that the windows in his buildings were larger and admitted more light than the windows in any other building in London. With respect to the cost of the particular design, a work written before the competition showed that from

Mr. Scott's opinion as to the true character of Gothic architecture the House was not likely to be led into a waste of public money by useless ornamentation. Mr. Scott stated in his *Remarks on Secular and Domestic Architecture:—*

> "In external character a noble simplicity is greatly to be preferred to extreme elaboration. I have never, in the domestic architecture of the best periods of mediæval art, seen what would be called rich external decoration otherwise than very sparingly used for a few special parts. A tissue of costly ornament over the entire building I have never seen, and I am certain that it is destructive of true dignity."

It appeared to him that the noble Lord at the head of the Government, in announcing that he kept Mr. Scott as architect, but was going to make that architect produce a design in the classical style, had followed the worst course possible. It was like going to a French master to be taught German; or, to put another case, the right hon. Gentleman the Chancellor of the Exchequer had, he believed, addressed the Legislature of Corfu in Italian, and his constituents at Oxford might ask the right hon. Gentleman to address them in his best Tuscan, but for his (Mr. Stirling's) part he would prefer to hear the right hon. Gentleman, not in the language over which he had obtained a mastery; but in that in which he appeared to have been born a master. If the noble Lord did not like Gothic architecture, he should not go to a Gothic architect. He thought that Mr. Scott ought to be allowed to employ the style to which he had given his particular attention.

Mr. BUXTON expressed his opinion that Mr. Scott's design would form one of the most beautiful buildings in the country. Many gentlemen were under the impression that a want of light always accompanied Gothic architecture; but the windows in Mr. Scott's design were as large as any windows in London, and could be filled in with plate glass. In point of access it was not inferior to Banks and Barry's design, and rather admitted more light and air. There was no reason whatever why the Gothic style should not be employed for civil buildings. Abroad many civil buildings, and even private houses were built in the Gothic style; and in this metropolis there were Westminster Hall, the courts of law, the dining hall at Lincoln's Inn, and the Guildhall in the Gothic style, and no man held that they were incongruous with the buildings about or unadapted for the purposes for which they were required. The taste for Italian architecture was decaying in this country, and a taste for Gothic was assuming a sway over people's minds. In fact, the Italian style was becoming effete. He trusted that the noble Lord at the head of the Government would not allow his individual predilections to run counter to the national taste. At Manchester the Gothic style had recently been selected for a building at a meeting attended by many men of business, with a Quaker for the chairman; and in Australia the Gothic was being adopted in preference to the Italian style.

Viscount PALMERSTON said, that nothing in the Vote now before the Committee in any way committed the House to the style or character of the building to be erected on the ground; and whatever his opinions might be—as strong they certainly were—with respect to the style best to be adopted, nothing would be done with respect to fixing on a plan until Parliament met again. In fact, before any building could be commenced, there must be another Vote for that express purpose sanctioned by the House. At the same time, the Committee had responded to the communication of the Chancellor of the Exchequer, and had taken advantage of this opportunity to express their opinions as to the much-mooted question of style. Some hon. Gentlemen had advocated an adherence to Mr. Scott's plan on two grounds—first, because he was chosen as the architect, and it was contended that they must take the plan with the man; and, secondly, because the noble Lord opposite (Lord John Manners) lately at the head of the Department of Public Works had chosen to incur, without the sanction of the House, a considerable expense in plans and models, wherefore it was said that the House was committed to go on with the erection of the buildings. He did not think that reason at all valid, for supposing, for the sake of argument, that his opinion was right and that the building would be a great disfigurment to the metropolis, what satisfaction would it be to posterity a hundred years hence, who might lift up their hands with astonishment to think that the senators of 1859 could have sanctioned the erection of so frightful a building, to be told that the reason was because a noble Lord at the head of the Department of Works, who had a personal feeling for the architect, [Lord John Manners: No!] or at any rate approved of a certain architect—did in order to induce the House of Commons to adopt the plan he liked, take on himself to order expenses not sanctioned by the House; and that then, out of a feeling to spare the self-love of the noble Lord, and the disappointment of the architect if the design were not carried out, the Legislature had permitted the erection of the building? He put aside that argument as having no weight in the balance, and he thought that the noble Lord was not justified in the course he pursued. His noble Friend (Lord Elcho) said that he was present at the last discussion on Gothic and non-Gothic architecture, and that it was unsatisfactory. He did not wonder that his noble Friend thought so, for as far as the opinion of the House could be expressed short of a division, by gentlemen on their legs, and by those who retained their seats, he never remembered a stronger expression of opinion elicited than was on that occasion manifested against Gothic and in favour of Italian architecture. Of course his noble Friend, with his opinions, could not be satisfied with such a result. This being the case, he thought that the noble Lord opposite (Lord John Manners) should not have committed the country to an expense contrary to the opinion entertained by the House; and his doing so should not now be urged as a reason for going on with a plan which he (Viscount Palmerston) thought the majority of the House disapproved. With respect to what he (Viscount Palmerston) had stated to a deputation that had waited on him on this subject, it was entirely in accordance with what he had before stated in the discussion in that House—that the Gothic style was wholly unsuited to a public official building, and that, as far as his own opinion went, he should, whether in office or out of office, do all in his power to prevent its being adopted for that purpose. He also stated that though the Gothic style might be admirably suited for a monastic building, a monastery, or Jesuit college, it was not suited, either internally or externally, for the purpose to which it had now been proposed to apply it. His noble Friend (Lord Elcho) asked, what could be more monotonous than the new town of Edinburgh and the Rue de Rivoli at Paris? Certainly the new town of Edinburgh never could be quoted as an example of ornamental architecture; but the Rue de Rivoli was exceedingly handsome, and yet it was not Gothic. His idea as to what should be done in respect to the design of houses in a street was that there should be *facies non omnibus una nec diversa tamen.* There should be a variety in the same style to prevent its being monotonous, but there should not be blended together styles wholly different and incongruous one with another. In answer to the objection of the incongruity of such a structure with the surrounding buildings it was answered that it was contemplated to pull down everything between Great George Street and Westminster Hall, and raise up another block of buildings which should be in harmony with this, and then all would be congruous from Downing Street to Westminster Hall. That would simply be making bad worse, and throwing good money after bad. A great argument in favour of Gothic architecture was that it was national, and they had just been told that it was very much rising in public estimation. He did not see any proof of that in this metropolis. If they went to the new parts of London they saw beautiful buildings in a style very different from those in the old parts of the town, but none of them Gothic. They did not see private buildings in the Gothic style. There were halls for guilds and corporations in the Gothic style, but not buildings for habitation. They had a specimen of a building in the Gothic style intended for habitation, in the house erected for the Speaker; and every gentleman who had had an opportunity, by partaking of the hospitality of the Speaker, of seeing the inside of that structure must have left with the conviction that it was a most unfortunate building. His noble Friend the Member for London, whom he met one day at the right hon. Gentleman's table, observed in reference to the style, "It was all very well for our ancestors to do these things, because they knew no better. But why should we do them?" If they looked to any town in this country where large buildings were erected they did not find a proof of the assertion of the hon. Gentleman. There were persons who liked Gothic houses for country residences, and he admitted that there was an increasing disposition to employ the Gothic style for ecclesiastical buildings, and he did not quarrel with it for those purposes. A Gothic window was by its necessary form dark and inconvenient; and though he admitted that our taste had greatly improved as far as the style of building our churches was concerned, nevertheless he had seen some such edifices which did not admit sufficient light to read the services. The real truth was that the Gothic was not an English style of architecture, but was imported from the Continent—from Belgium or the north of Italy. Was it, then, national by practice? He had just made out a list of public buildings in different towns, and among them he should have to mention that building criticized to-day —the National Gallery, certainly not one of the most favourable specimens of our public buildings. He did not defend that building: but how did it happen that it was so constructed? Lord Althorp, when Chancellor of the Exchequer, insisted that the building should not cost more than £70,000; and consequently the architect was restrained in the development he would have given to it. The expense was not adapted to the building, but the building was made to conform to the sum allotted. Part of the plan was that the columns from the front of Carlton House should be employed for the National Gallery. The building was made low for the purpose of suiting those columns, and when it was ready for the reception of the columns, it was found to be much too short for them, and fresh columns had to be provided. Taking London, he asked whether the building they had been speaking of that day would be in harmony with any public building in the metropolis. He put aside that House, in which they were assembled, and did not reckon ecclesiastical buildings. They had in London the following buildings in styles not Gothic:—The Bank of England, the Mansion House, the East India House, the Royal Exchange, Somerset House, the Custon House, the British Museum, the Banqueting House, the National Gallery, Greenwich Hospital, the University College, the Post Office, Chelsea Hospital, Buckingham Palace, and Stafford House, none of these were Gothic. In Edinburgh there were of buildings non-Gothic, Holyrood Palace, the Royal Academy, the Royal Institution on the Mound, the Register Office, the University, Heriot's Hospital, the Advocates' Library, and the Colleges of Physicians and Surgeons. There was scarcely anything Gothic there, except that unfortunate monument to Sir Walter Scott, to be respected on account of the character of the man to whose memory it was raised. Now, he would advert to Dublin, and here he must appeal to the Irish Members. No city contained handsomer buildings for its size than Dublin, and no country produced abler architects than Ireland. In Dublin there was the Bank of Ireland, the Custom House, the Four Courts, Trinity College, the Post Office, and the Rotunda. These buildings were not in that monotonous style which his noble Friend advocated. They were none of them Gothic, though all different in their character, and were all extremely handsome. Cambridge had, not in the Gothic style, the Fitzwilliam Museum, the Observatory, and several colleges. Then let the House take the case of Manchaster. There was the Free Trade Hall, the Royal Institution, the Athenæum, the Exchange, the Commercial Rooms, and the Museum, not in the Gothic style. At Liverpool there were of non-Gothic buildings, St. George's Hall — that beautiful structure — the Exchange, the Custom House, and the Town Hall — all classic in their design. At Oxford, which was supposed to be in favour of this Gothic style, the Queen's College, the Radcliffe Library, the Theatre, the Museum, the Printing House, and the Observatory, were not Gothic. It would be endless to go on quoting, and he thought he had stated enough to prove that it was not true to say that the Gothic style was natural here either by original invention or existing examples. Then, what was the testimony in favour of the Gothic style with respect to the particular building now in question? The opinion of those who belonged to the Foreign Office showed that much was to be said against the Gothic style as regarded the internal arrangements; and with respect to the external appearance, what was the opinion of the architects who were invited to the competition? He believed that of the plans sent in in competition there were 200 plans in styles not Gothic, and only thirty in the Gothic. That was a strong proof that the great majority of the architects were of opinion that the Gothic was not a style adapted for the purposes of the building. The model which Mr. Scott had exhibited was, no doubt, the result of very much labour, and if that labour should be thrown away it was only those who set Mr. Scott to work without any sufficient authority who would be to blame. He (Viscount Palmerston) regretted that that labour should be thrown away—it would be very unfortunate for him, but it was no fault of his (Viscount Palmerston). Nevertheless his opinion was that Mr. Scott, like any other clever architect, would be able to construct a different building for the ground plan, and he did not see that there was such a necessary connection between Mr. Scott and the Gothic style that the Government should be prevented from inviting him to endeavour to design his elevation on a different plan. He agreed in thinking that the expense calculated for this building was enormous. He was in Paris last summer, and Count Walewski showed him the Foreign Office there, which was a magnificent building, containing sumptuous rooms, and he was told that it cost, everything included, what he thought a very large sum—about £300,000, in English money. But this building of Mr. Scott's would cost more than that, and if the India Department was to form part of the same bulk, the House, by sanctioning the plan, would be embarking in an expenditure very little short of £1,000,000, and for the money they would have got a frightful and disagreeable looking building. The best course for the Government to pursue was to employ the time between this and the meeting of next Session in endeavouring to prepare some plan which he trusted would be less expensive, equally convenient, and which might probably provide accommodation for three departments instead of two—namely, the Colonial, Foreign, and Indian. Though there were reasons why a residence in the building for the Foreign Secretary would be desirable, still it was to be doubted whether those reasons were strong enough to induce the House to embark in this great expenditure. Reception-rooms there must be, and they would be available for other official purposes. If it were contrived to combine the three offices in one bulk of buildings, and if they were constructed on a scale of expenditure less than that which had been calculated for Mr. Scott's design, he thought the House of Commons would not regret the delay rendered necessary to attain that result. He repeated the assurance that no settlement would be made, because none could be made, with respect to the commencement of the erection of any building, until another Vote should be granted by Parliament.

Lord JOHN MANNERS said, the noble Lord at the head of the Government had impugned the conduct which he had thought it his duty to pursue, and he trusted, therefore, that the Committee would allow him to explain the reasons by which he had been actuated. Last autumn it became his duty to make up his mind on the subject and advise the Government. He invited the opinion of the Committee sitting on the subject as to the style and the architect; but they declined to give an opinion on either, holding that it was the duty of the Executive Government to adopt the responsibility. And he (Lord John Manners) acted accordingly. The noble Lord now said he did wrong, and had incurred an improper responsibility after the decision of the Committee.

Viscount PALMERSTON: No; after the discussion in the House.

Lord JOHN MANNERS: Why, the preliminary steps were taken before the discussion in the House; but when the noble Lord talked about the discussions in that House, he asked what he meant by "discussions in that House?" He remembered the noble Lord calling Mr. Scott a monomaniac, and making a dashing, rattling sort of speech, which the House cheered and laughed at. But he would remind the noble Lord that a subsequent discussion had taken place in the House, and he would ask the noble Lord whether on this second occasion the opinion of the House was expressed in anything like the same sense? He (Lord John Manners) ventured to say that those who advocated the Gothic style of architecture had really the best of it. But how could the noble Lord talk of the result of discussions in that House when no vote was taken and no decision was challenged? He (Lord John Manners) had stated openly and frankly that he intended in this case to act upon the suggestions which were thrown out last year by the hon. Member for Stafford (Mr. Wise) with respect to the Vote for the house of our Ambassador at Paris—namely, to invite tenders from builders of eminence, and the House having given a tacit sanction to that proposal, it was too late for the noble Lord now to come forward and say that he (Lord John Manners) had assumed undue responsibility in taking the steps which had brought the question into its present position. But if he had assumed an unwise responsibility in adopting a course that had been tacitly sanctioned by the House, what would be thought of the noble Lord, who, unless he was greatly belied by rumour, had actually given instructions to the architect to prepare new designs in a different style without having in any way whatever communicated his intentions to the House? If the noble Lord would inform the House that he had not directed Mr. Scott to prepare designs in a different style of architecture, he (Lord John Manners) would at once withdraw the statement; but if the noble Lord had given such instructions, what became of his accusations against him? The noble Lord had given the House a catalogue of buildings in different styles of architecture, not Gothic, which had been erected in this metropolis and in different towns throughout England during the last century and a half. Of many of those buildings he wished the noble Lord joy. Of the ridiculous failure in the case of the National Gallery, the noble Lord had interpolated an explanation very suggestive on the present occasion. He attributed the failure of that building to the interference with the plans of the architect by a noble Lord who held high office, and he warned the House not to allow a noble Lord high in office to interfere with the plans now under discussion. They might depend upon it that such interference would only lead to a similarly ridiculous failure, and the noble Lord would go down to posterity not only as the approver of the bridge in St. James's Park, but as reponsible for the building of the new Foreign Office. The noble Lord who had said that Mr. Scott was a monomaniac, now said that he was very eminent in his profession, and he had no doubt could erect a building in the Italian style quite as well as in the Gothic. But if a man had obtained a world-wide reputation for his success in one style of architecture, would any one in his senses give that man a commission to execute a work in an entirely different style? Would any man in his senses commission Sir Edwin Landseer, who was renowned for his paintings of animals, to execute a picture of the Holy Family? He did not think it had been clearly stated whether the erection of the India Office was to stand over for future consideration. [Viscount PALMERSTON: Of course.] Then in that case he had no objection to the course proposed by the noble Lord. The noble Lord seemed to think that he could erect a Foreign Office, an India Office, and a Colonial Office in the Italian style of architecture for a less sum than the Foreign Office and the India Office, without the Colonial, would cost if they were erected in the Gothic style; but he believed that, upon reflection, the noble Lord would be disposed to modify his views in that respect. Having looked carefully into the subject, he (Lord John Manners) was not at all prepared to admit that there was any necessity for a new Colonial Office at all, for he believed that all the requirements of the Colonial Office might be provided for in Pembroke House, when it was vacated by the department of the War Office which now occupied it. Now, as to the expense, the noble Lord had referred to St. George's Hall at Liverpool; but that building cost between £300,000 and £400,000. Mr. Hunt, the Surveyor of the Board of Works, estimated the cost of executing the first prize design at £208,000; and the expense of an official residence to be attached to the building was estimated by the architects at £154,000; together £362,000. The cost of carrying out the second prize design, without an official residence, was calculated by Mr. Hunt at £217,000, and the architects, Messrs. Banks and Barry, estimated the additional expense for an official residence at £100,000; together £317,000. He understood, from the statement of the Chancellor of the Exchequer, that the design of Mr. Scott for a Foreign Office, and an official residence would amount to about £285,000. It appeared, therefore, that either of the first two prize designs would cost far more than the amended, improved, and admirable design which was now the subject of discussion. The noble Lord had professed ignorance of the existence of any increasing feeling in the country in favour of the adoption of Gothic architecture for civil edifices. Well, he (Lord John Manners) had never heard that the gentlemen of Manchester were Mediævalists or Jesuits, or that they were fond of spending money in unnecessary ornament; but he understood that in that city, out of seventy designs sent in for a building which was intended purely for civil and municipal purposes, the design selected for the first prize, and which he understood it was intended to carry out—was Gothic. He did not think, either, that the citizens of Hamburg—a very business-like community and very Protestant in its opinions—were disposed to spend money for unnecessary ornament; but all the architects of the world having been invited to send in plans for a great public building in that city, the design of Mr. Gilbert Scott — the architect whose plan was now under discussion — for an edifice in the Gothic style has obtained the first prize and was selected for execution. He entertained great respect for the noble Lord (Viscount Palmerston), but, after the speeches he had heard him deliver on this subject, he would be extremely sorry to obey his edicts in matters of taste. Hon. Gentlemen had had an opportunity of examining Mr. Scott's designs. The noble Lord said that, in his opinion, a building erected according to these designs would be a positive disfigurement to London, and he even applied to it the epithet "frightful." It would be "a frightful disfigurement" to this beautiful and glorious metropolis! After this dictum, and the unqualified praise lavished on the bridge in St. Jame's Park, he must appeal to hon. Gentlemen whether they would permit the noble Lord to become a Pope on this subject. He appealed to the common sense of the Committee to reject the authority of the noble Lord on this question. He was quite ready to admit the noble Lord's claim to supremacy in matters relating to great affairs of State, whether domestic or foreign; for, with respect to foreign affairs, he never by any accident got the country into a scrape; but he hoped the noble Lord would allow the right hon. Gentleman at the head of the Board of Works to settle the matters pertaining to his department in his own way, and that he would not of his own mere motion give orders which might lead to increased expenditure without the knowledge of the House of Commons, and, as far as he (Lord John Manners) knew, without the sanction of his responsible colleagues. He believed that the course adopted by the noble Lord could only lead to increased expenditure, to certain failure, and to great individual wrong. If the House of Commons were blindly to say that whatever the noble Lord advised, whether as to taste or expense, should be put in hand, the House might as well give up talking about science and art and the beautification of the metropolis; and they would have national galleries and public buildings erected to the disgust, sorrow, and astonishment of the nation. Upon the understanding that nothing would be done with respect either to the Foreign Office or the India Office before Parliament reassembled that would in any way compromise that House, he would offer no opposition to the Vote.

Sir JOSEPH PAXTON said, he was not about to enter into the vexed question as to whether the Gothic or any other style of architecture was best suited for public buildings, but, having examined Mr. Scott's plans in all their details, he must say that they appeared to him to carry out completely the intentions of the House. The noble Lord at the head of the Government first, and afterwards the hon. Member for Bath (Mr. Tite), had objected to a Gothic building on the ground that it did not afford the same facilities for lighting and ventilation as an edifice in the classical style. On this point he had examined the plan of Mr. Scott in detail; and he could assure the Committee that the system of ventilation proposed by Mr. Scott, and which he was perfectly able to carry out, was as perfect as for any building that he ever saw erected; and as for the light he thought it was rather overdone than otherwise. Mr. Scott was at the head of his art in Europe, and he (Sir Joseph Paxton) said, that the building he had designed was a beautiful building. He did not say that he would always prefer a large mass of buildings put up in the Gothic style; but in the spot proposed he thought the intended building would be beautiful. As we came down Parliament-street we had a variety of styles. There was the Board of Trade, then there would be this building of Mr. Scott's; he presumed there would be another building of a style analogous to the Board of Trade, and then we came to the Houses of Parliament. He thought Mr. Scott's design had been a little unfairly treated; and that before it was rejected a stronger opinion should be given in this House than had been hitherto expressed. As to the expense he thought the amount would be about the same one way or the other; and he thought the question would turn on the convenient adaptation of the offices to their intended purposes.

Mr. LIDDELL said they were going to vote £30,000, the greater part of which was to be laid out on the foundation of the building. He thought it very questionable whether they ought to lay out so much money on what was admitted to be a moveable peat bog. They ought also to decide on the general outline of the buildings that were to be erected before they laid out so much money on the foundation.

Lord ELCHO said, the discussion which had taken place had been so far satisfactory that they had ascertained that the architect of the new building was to be Mr. Scott, and he was glad that the hon. Member for Maidstone (Mr. Buxton), who was himself one of the competitors and carried off a prize, had expressed himself so strongly in favour of Mr. Scott's design. With regard to the other main objection to the building that the style was unsuited in its architecture to the purposes of a public building, that had been met. The objection as to cost had also been met by the hon. Members for Coventry and Leicestershire. The former, a practical man, had told them that as regarded ventilation and light the proposed building was all that could be desired.

Mr. CONINGHAM controverted the assertion that Gothic architecture was becoming prevalent through the country. He thought on the contrary that the failure of the attempt at the revival of Gothic architecture had caused a reaction. He looked upon architecture as the expression of the ecclesiastical spirit, to which he for one was strongly opposed, and which he believed to be opposed to liberty and the true interests and prosperity of a Protestant country.

Lord JOHN MANNERS observed, that Dr. Newman had been called upon to decide upon the design for a new building in Dublin which was intended for the Jesuits, and he said that the Gothic style was not so much in accordance with the real Ultramontane spirit as the Italian style.

Vote *agreed to*, as were also the following Votes:—

(8.) £1,650, Pedestal for Statue of Richard Cœur de Lion in Old Palace Yard.

(9.) £5,641, Architect and Surveyor to Commissioners of Works and Public Buildings.

On the Vote of £17,000 for cleansing the Serpentine River, Hyde Park,

Mr. FITZROY said, that on entering on his duties he found in the office a plan, prepared under the sanction of his predecessor, for cleansing the Serpentine; but it would have involved a large expenditure, and appeared to be based on an estimate not very accurate, and to contain a proposition which was not likely to be agreeable to public opinion. It proposed to form an island in the Serpentine, which he thought would destroy the beauty of that piece of water? But if this plan were set aside, what was the alternative? He felt personally anxious to carry into effect some plan for cleansing the Serpentine, and he obtained an estimate for such a system of cleansing as had been so successfully adopted with respect to the ornamental water in St. James's Park. He found, however, that it would be impossible to apply that system to the Serpentine at a less expense than between £50,000 and £60,000. Having consulted several competent persons on the subject, he obtained from the Chancellor of the Exchequer a small sum in order to obtain the professional assistance of eminent engineers. He had obtained the assistance of Mr. Hawksley, an engineer of established reputation, who had submitted to him a plan which had been approved by the hon. Member for Finsbury (Sir S. M. Peto) and Mr. Stephenson, the eminent engineer, as safe, practical, and economical. Mr. Hawksley said,—

"I propose to establish at the head of the Serpentine, in such manner as to be no detriment to its beauty, a proper filtering apparatus, similar in most particulars to those used by waterworks companies, and to draw from the lower end of the lake, by means of a small concealed steam-engine and pipe, about 2,000,000 gallons of water daily, which quantity of water, after passing through the filter-bed, would fall in a perfectly pellucid cascade into the lake at its head. By these means the whole volume of the water of the Serpentine would be passed through the apparatus once in every month, and be thereby rendered not merely perfectly free from all floating matter, but also perfectly clear and colourless. If small quantities of quick lime were also occasionally scattered along the shallow margins of the lake to destroy the conferva adhering to the pebbles of the beach, all grounds of just complaint against the condition of the water would be effectually removed."

It was computed, on a liberal estimate, that the expense of this plan would not exceed £16,500, for which amount it was believed that the proposed works could be successfully completed by the commencement of next May.

Lord JOHN MANNERS said, he should support the Vote. He thought, however, that the formation of the proposed island, according to his plan, would have added to the beauty of the river.

Mr. CONINGHAM asked, whether the sewer was to be diverted from the river.

Mr. FITZROY replied in the negative. To accomplish this would cause an extra expenditure of £24,000. The sewer would present no difficulty under the filtering plan.

It being now 10 minutes to 4 o'clock, the Chairman, agreeably to the Standing Orders, quitted the Chair.

House resumed.

Resolutions to be reported *To-morrow.*

LEICESTER COUNTY (NORTHERN DIVISION) ELECTION.

REPORT.

House informed, that the Committee had determined—

"That the Right honourable John James Robert Manners, commonly called Lord John Manners, and Edward Bourchier Hartopp, Esq., are duly elected Knights of the Shire to serve in this present Parliament for the Northern Division of the County of Leicester.

"And the said Determination was ordered to be entered in the Journals of this House."

LIMERICK CITY ELECTION.

REPORT.

House informed, that the Committee had unanimously determined—

"That Major Gavin is duly elected a Citizen to serve in this present Parliament for the County of the City of Limerick.

"And the said Determination was ordered to be entered in the Journals of this House.

House further informed, that the Committee had unanimously agreed to the following Resolutions:—

"That certain riotous and tumultuous proceedings took place at and after the Election for the said City; but that it was not proved to the Committee that such proceedings took place at the instigation or with the sanction of Major Gavin or his Agents.

"That no application was made to the Returning Officer for an adjournment of the Poll in consequence of such proceedings, and that it was not proved to the Committee that they were of such a duration or of such character as to prevent the votes of the Electors from being recorded."

Report to lie on the table.

Minutes of the Evidence taken before the Committee to be laid before this House.

ROMAN CATHOLIC SAILORS IN THE NAVY—QUESTION.

Mr. HENNESSY said, he rose to ask the Secretary to the Admiralty whether the Government are prepared to carry into effect the recommendations of the late board of Admiralty respecting the treatment of Catholic Sailors in the Royal Navy?

Lord CLARENCE PAGET said, that strictly speaking no recommendation on the part of the late Board of Admiralty had been left with their successors. There existed a letter from the late First Lord (Sir John Pakington) to Lord Derby, in answer to a memorandum to which no signature was affixed. The memorandum asked for further facilities for Roman Catholic worship in the fleet, in the hospitals, and other establishments connected with the navy; and it had been answered by certain remarks of the right hon. Baronet (Sir John Pakington) to Lord Derby in which it was distinctly stated that the opinion of the Board of Admiralty had not been taken on the question. Consequently the Government had no knowledge of any proceedings having been taken by their predecessors with the view of giving further facilities for Roman Catholic worship. He could therefore only state to the hon. Gentleman that the present Board of Admiralty were most anxious, wherever they could do so consistently with the discipline of the Navy, to afford proper facilities of that nature to Roman Catholics and members of other sects dissenting from the Church of England.

ARMY CLOTHING.

QUESTION.

Mr. WISE said, he would beg to ask the Secretary of State for war when the Report of the Royal Commissioners appointed to inquire into the state of the Books and stores at Weedon, Woolwich and the Tower will be presented to Parliament?

Mr. SIDNEY HERBERT stated in reply, that the report of the Royal Commissioners appointed to inquire into the books and stores at Weedon, Woolwich, and the Tower would be laid upon the table before the Recess.

THE DOCKYARDS.

QUESTION.

Mr. BAILLIE COCHRANE said, he wished to ask the Secretary of the Admiralty, whether as Scotland furnishes so much of the materials for ship-building and such a large proportion of the workmen employed in the Dockyards, it would not be for the public advantage to have a Government building-yard established in Scotland?

Lord CLARENCE PAGET said, he was afraid he must state to the hon. Gentleman that there was no intention on the part of the Government to propose such a scheme as that suggested by his question.

INDIAN ARMY.

QUESTION.

Mr. TORRENS said, he would beg to ask the Seretary or State for India whether it is intended to increase the strength of the Regiment of Bengal Artillery; also when it is intended to distribute the Delhi and the Lucknow Prize Money and the Medals for services in the field against the Mutineers, which some time ago were promised to the Troops?

Sir CHARLES WOOD was understood to say that the distribution of the Medals to the Indian Army could not be proceeded with until the Medal Roll had been received from India.

BUSINESS OF THE HOUSE.

NOTICE.

Viscount PALMERSTON said, he wished before the business of the evening was proceeded with to make an appeal to hon. Gentlemen who had Notices of Motion on the Paper on going into Supply, not much progress having been made in Supply at the morning sitting. He hoped, therefore they might be allowed to go into Supply immediately, as they might then be able to complete their business in Supply that evening. If hon. Gentlemen, therefore, would postpone the Motions of which they had given notice, they could make them on the Bringing up of the report, and he would take care that they should have an opportunity of doing so early to-morrow.

Sir De Lacy Evans, Mr. Lindsay, and Mr. Augustus Smith assented.

ELECTION COMPROMISES.—BODMIN ELECTION.—RESOLUTION.

Mr. ROEBUCK: I rise, Sir, for the purpose of bringing to the notice of the House a matter which affects their privileges—and I intend to finish the observations which I have to make with a Motion relating to that subject. Sir, it will be in the recollection of the House, that a Petition was presented against the return of the hon. Member for Bodmin. It will also be in the recollection of the House that that Petition has been withdrawn. Now, Sir, it has come to my knowledge, and I believe that what I am now about to state is perfectly accurate and true, that the hon. Member for Bodmin, having been charged with bribery, and corruption, and treating, has agreed to a compromise that he shall, at the end of the Session, in consideration of the withdrawal of that Petition, retire from the seat which he now holds in this House—that he shall thereupon apply for, and receive the Chiltern Hundreds—that that shall cause his retirement—that in consideration of his so doing, the persons presenting the Petition shall withdraw that Petition. Now, Sir, it seems to me that this is what I have been accustomed to call a corrupt compromise, that an hon. Gentleman having acquired by improper means the power of sitting in this House, that by improper means having acquired that power, he allows a Petition so charging him to be presented to the House, he enters into all the requisite forms for the purpose of meeting that Petition, and at the last moment he retires because he is afraid that the statements contained in that Petition may be verified before a Committee of this House. Now, Sir, a person doing this, I say, does that which clearly impugns and weakens the privileges of this House. It weakens this House in its character before the people, and after the scenes which we have recently beheld of corruption sown broadcast over the country, not by one, not by two or by three, but I think by a dozen; after that, I say, it behoves this House to be careful what it does, so that it does not by its sanction lend authority and aid to persons pursuing these nefarious practices. And now, Sir, I appeal to the noble Lord at the head of the Government. I told the noble Lord some nights ago that these practices would lead to the very consequences which I am now describing, namely, that Gentlemen who are charged with corruption would vacate their seats upon the understanding that they should apply to the Government for the Chiltern Hundreds; that they should receive the Chiltern Hundreds from the Government, and thus escape the punishment which is due to their misdeeds by this House. Sir, I appeal to the noble Lord now as I appealed to him then. I warned him of what was about to happen, I told him that such things would occur, and I believe that he agreed with me in thinking that such practices ought not to be sanctioned by this House. If this House would govern the country, they must uphold their character before the people. That character I am bound to say has been materially shaken by the abominal scenes which have of late been disclosed before the Election Committees of this House. The hon. Member for Bodmin by retiring in this manner would cast a veil over the misdeeds of which I have a right to assume that he has been guilty. But when a man has been guilty of such misdeeds, it behoves this House to punish them as they deserve to be punished, and to fix upon the back of that man the iron brand of this House, which would make him utterly unfit to sit in this House again. Sir, I took upon myself to say on a late occasion that the Committees of this House had dealt very tenderly with persons in this position; and, Sir, I may be met now with some apt adept in satire, who will accuse me of all sorts of misdeeds because I endeavour to lay bare the misdeeds of others; but I am not to be terrified by any such mode of proceeding. What I think for the honour and the dignity of this House I will do, and I think it for the honour and the dignity of this House that we should take precautions and throw obstacles in the way of men who make corrupt compromises. Therefore it is, Sir, and from no mistrust of the noble Lord, but rather to put an arm into his hands, that I now move that this House pass this Resolution,

Motion made, and Question proposed,

"That, in the opinion of this House, any Minister would be guilty of a breach of the privileges of this House who should advise the Crown to confer the Office of Steward of the Chiltern Hundreds, or of the Manor of East Hendred, or of the Manor of Northstead, or of the Manor of Hempholme, or of Escheator of Munster, upon any person charged with corrupt practices at an election, and who for the purpose of evading the jurisdiction of this House, has entered into an agreement to vacate his Seat, upon the withdrawal of the Petition charging him with such corrupt practices."

Mr. HADFIELD: I beg to second the Motion.

Motion made and Question proposed.

Colonel NORTH: Sir, I know nothing of this case; I merely rise for the purpose of asking the hon. and learned Member for Sheffield whether he has given notice to the hon. Member for Bodmin of his intention to make this Motion?

Mr. ROEBUCK: I have.

Viscount PALMERSTON: Sir, I apprehend that there can be no difference of opinion between the hon. and learned Gentleman and myself in regard to the principle contained in the Motion which he has made; that is to say, I quite agree with him that if any Member of this House is charged in a distinct and substantive manner, with such practices as those to which the Motion relates it would be perfectly unbecoming in a Minister of the Crown to enable that Member to evade the investigation, and the necessary condemnation of a Committee of this House appointed to inquire into the matter by giving him the Chiltern Hundreds or any other office that would vacate his seat. Therefore, I hope the hon. and learned Gentleman will understand that we are perfectly agreed as to the principle of the Motion which he has made. But with regard to the application of that principle and the manner in which the hon. and learned Gentleman proposes to apply it, I must beg to submit to the House that it does not appear to me that at present the hon. and learned Gentleman has laid any sufficient ground for calling upon the House to affirm a general Resolution such as he has proposed. If the hon. and learned Gentleman had intended to point this Resolution to the hon. Member for Bodmin, I apprehend that the course which he would naturally have pursued, and which he ought to have pursued, the common practice would have been to have informed the hon. Member for Bodmin that he intended to make this Motion.

Mr. ROEBUCK: I have done so.

Viscount PALMERSTON: Then it was the duty undoubtedly of the hon. Member for Bodmin to have attended in his place if he were aware and had received timely notice that it was the intention of any hon. Member to charge him publicly in this House with a corrupt compromise in regard to his election. I apprehend that if the hon. Member for Bodmin had been in his place the proper course would have been for the hon. and learned Gentleman to have asked him to have stated that he had good reason to believe that the hon. Member for Bodmin had made such a corrupt compromise, and to have asked him whether he acknowledged or disavowed the charge; and thereupon, according to the answer of the hon. Member for Bodmin the House would have dealt with the matter. But I should conceive that in any case the course which the House would have followed would have been much the same course as that which was pursued some years ago in similar cases upon the Motion of the hon. and learned Gentleman himself, that is to say, that a Committee would have been appointed to inquire into the case, to ascertain whether or not the Member charged had made a corrupt compromise for the withdrawal of the Petition against him; and undoubtedly, pending that inquiry, it would have been perfectly impossible for the Government to have assisted the Member who was so charged in evading the result of the inquiry by affording him the means of vacating his seat. I should, however, submit to the hon. and learned Gentleman and to the House, that in the present stage of the proceeding he has not laid with sufficient precision any ground for such a general Resolution as that which he now proposes, which indeed would leave the Government very much embarrassed as to its application, as to whom to apply it, how they were to ascertain that a Member had been charged, by whom he had been charged, and upon what ground he had been charged. And, therefore, I would suggest that the hon. and learned Gentleman should to-morrow request the hon. Member for Bodmin to appear in his place in this House, and that the hon. and learned Gentleman should then distinctly ask the hon. Member for Bodmin whether he admitted or denied the charge. The hon. and learned Gentleman has no doubt distinct grounds for believing in the truth of the charge, and if it appeared to him that he had sufficient *primâ facie* ground for his belief, he would put it to the House whether they would appoint a Committee to inquire into the matter. I hope the hon. and learned Member will see the propriety of adopting the course which I have pointed out. Perhaps I might say that of course the Chiltern Hundreds are not given at this moment, and will not be given under the circumstances if the hon. Member for Bodmin should ask for them.

MR. DISRAELI: I do not apprehend, Sir, that this Motion is levelled against any individual; at least I should be unwilling, on whatever side of the House the hon. Member sat, to go into the subject upon any such ground. Important considerations are involved in this Motion, and I shall address myself to them, I trust, with a temper befitting their serious character, and totally independent of party feeling. Perhaps, however, I shall not be thought to go out of my way if I remind the House of the observations made by the noble Lord at the head of the Government on a former occasion with respect to some supposed levity of tone I had assumed, and warning me that before any long time elapsed I should have cause to change my tone. I can only say that whatever may happen as the result of the election petitions, I do not think they are of a character, at all events up to this time, to cause humiliation to hon. Gentlemen on this side of the House. I am unwilling to dwell upon this subject further on the present occasion; but I think that it will become this House, for the sake of its own character, and the influence which it ought to have in the country, not in any way to attempt to evade these questions. I have no doubt that the Committees, to whom the duty of investigating these Election Petitions has been entrusted, have discharged their duties faithfully so far as the investigation of these questions is concerned, but I do think, and I am sure I speak the sentiments of hon. Gentlemen on this side of the House with whom I have had opportunities of conferring, and they have been many, that it is of the utmost importance to allow no Petition of a serious nature presented to this House to escape investigation. No doubt some of these Petitions have been presented without due cause, and which, if they were inquired into, would be found to be frivolous and vexatious; but if this were to happen, if a Gentleman is petitioned against on account of corrupt practices, if we find that the Petition against him was withdrawn, if by a curious coincidence we find that the Member who has been so petitioned against, and the Petition against whom is so withdrawn shall afterwards apply to the Minister for either of these offices to which the Motion of the hon. and learned Member refers, then I think that the result of such a case not being inquired into will have the worst effects, and will produce upon the public mind an effect which all who are anxious for the honour of the House will severely deprecate.

Now, Sir, I did not clearly understand the Motion of the hon. and learned Member for Sheffield, as to be able to decide how far it goes, as to whether it was a question of privilege, and of course we must be scrupulous in providing that a Resolution of this nature should meet the evils with which we have to cope. I agree, however, with the noble Lord at the head of the Government, and with the hon. and learned Gentleman in the spirit of his Resolution. I think it will be becoming in this House to adopt some such Resolution as that which has been proposed to us, and to act with the greatest decision in all cases of this kind, when they are brought before us. In my opinion we ought to pursue the investigation in many of the boroughs respecting which the Election Committees have already decided. Of course I am not at all questioning the justice of the decision of these Committees. I believe that their decisions were perfectly just as far as they were authorized by law to inquire into them; but in the exercise of its discretion this House, in concert with the other House of Parliament, has power to institute a further investigation in every case where it thinks such a proceeding necessary. I must confess that I voted for the issue of a new writ for the Borough of Dartmouth the other night with great hesitation, but after the Chairman of the Committee had risen in his place and stated with all that authority that belongs to him as Chairman of the Committee, that no evidence of general corruption had been offered, and that the evidence of bribery was of a partial character, I certainly felt that I was not justified in voting that the writ should be withheld. I look upon all these cases with the greatest suspicion, and I should be in favour of suspending the issue of the writ in all cases till an investigation takes place. Most of all, I think we ought to determine that no steps shall be taken to facilitate the carrying out of a corrupt compact between a Member and those who have petitioned against his return; that the Crown shall not be made a party to a corrupt contract, for it comes to that, but that in all cases of suspicion an investigation shall take place, and the matter shall be brought to a decision. For my part, I do not see that we can take any step that is better calculated to prevent corrupt practices at elections than by facilitating investigation as much as possible in Committees of this House, and by preventing any steps—by preventing by all means the possibility of evading this investigation, by the Crown granting applications for the Chiltern Hundreds. We have now the express assurance of the noble Lord at the head of the Government, that in the present case he will not afford facilities for this mode of escape; but we require something more. The House has two modes of action. It can address the Crown to issue a Commission in flagrant cases where information has been withheld, and at the same time we can express our opinion that the Ministry should not open a door by which disclosures may be prevented.

Sir, I am very glad that this subject has been brought before the House; it would have been to the disgrace of the House if it had been left unnoticed, and although the Session is waning fast, I hope that something will be done. I am not surprised that the subject should be brought forward by the hon. and learned Gentleman, for I remember that in 1841 the hon. and learned Gentleman experienced no difficulty in a matter, which in no material respect differs from that with which he is at present dealing, and which he prosecuted to a successful issue. I apprehend that without any unnecessary delay the House ought to come to some such Resolution as that which has been proposed by the hon. and learned Gentleman. I do not anticipate that there will be any difficulty in debating his Resolution whenever he may submit it. In my opinion such a course is absolutely necessary in order to sustain the character and honour of the case, and therefore I hope that the subject will be dealt with before the Prorogation.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am not sure that the right hon. Gentleman who has just sat down has adhered very successfully to the pledge which he gave the House at the commencement of his speech, that he would be very careful to avoid all party allusions; but I shall not enter into any criticism of that part of his speech, because with the general political principles of the right hon. Gentleman I can have no right to quarrel. But, Sir, I happen to be the person most immediately interested in the Resolution of the hon. and learned Gentleman the Member for Sheffield, and therefore, I will venture to say one word on the question, inasmuch as the power at which the Resolution aims is immediately vested in my hands. Now the power of conferring the Stewardship of the Chiltern Hundreds, and the other offices of the same class mentioned in the Resolution, constitutes the only patronage I may say that belongs to the Chancellor of the Exchequer; but although it is the only patronage, I am bound at the same time to add that I do not in the slightest degree resent this attempt at interference with it on the part of the hon. and learned Gentleman, because it is in fact a rather difficult office, it is a very delicate office which the Chancellor of the Exchequer has to execute, inasmuch as the party making application for these appointments is not required to urge any reasons; nor have we any right to expect that when Members apply for the Chiltern Hundreds they should make any statement of the Motives or circumstances under which the application is made; so that if there is anything likely to create scandal in the House the Chancellor of the Exchequer may be held responsible for allowing him.

But, Sir, I do not think that there is at the present moment any cause for a Resolution such as that which has been moved by the hon. and learned Gentleman, because it happens, as far as there is a precedent upon this particular subject, that we have an undoubted precedent and a rule that in all future times will guide the Chancellor of the Exchequer. In 1842 the hon. and learned Member for Sheffield, from the most patriotic motives, and likewise having a good cause, made a Motion for a Select Committee to inquire into certain corrupt compromises, that were alleged to have taken place in the case of Election Petitions. After the appointment of that Committee one of the Gentlemen who was charged with corrupt practices made application to Mr. Goulburn, who was then Chancellor of the Exchequer, for the Chiltern Hundreds, and Mr. Goulburn replied by letter—and the letter, by the way, was moved for by my noble Friend now at the head of the Government, and laid before the House—that under ordinary circumstances he would have had no hesitation in granting his request, but that inasmuch as the House of Commons had appointed a Committee to inquire into the case of the compromises which were admitted to have been entered into, he could not, under these circumstances, accede to his request; that he should not feel justified in relying upon the discretion vested in him, and granting the application for the Chiltern Hundreds.

Now the present case differs from that in two important particulars. In the first place there was the admission of the party himself, that he had entered into such a compromise, and in the second place the general question had been entertained by the House, and the House had adopted the Motion for a Select Committee to inquire into these corrupt compromises. It was an easy matter for the Chancellor of the Exchequer to decide under those circumstances that he could not grant the application; but with respect to my own idea of my duty in such a case, it goes undoubtedly a little beyond what was stated by Mr. Goulburn. I think that no Chancellor of the Exchequer ought to grant an application of this kind where there is *primâ facie* evidence, though it might be less than occurred in that case where there was a confession by the party who had some indirect or second interest in the application. If an hon. Gentleman—suppose the honourable and learned Gentleman himself—rises in his place and states that he has reason to know, or good reason to believe, that some corrupt compromise has been entered into, that there have been corrupt proceedings, I think it will be most improper that the Chancellor of the Exchequer should be blind to the fact, and that he should give the Gentleman against whom these allegations are brought the means of evading them, but that he should postpone his application till the question is brought to an issue either one way or the other. Now, if the House chooses to lay down by its Resolution a distinct rule upon this question, it will undoubtedly be a great assistance to the Chancellor of the Exchequer in the discharge of his duties; but all I ask in that case is, that the rule should be very distinct, and that the terms of the rule should not be equivocal. It would not be enough to say that a person is charged with corrupt practices of some kind or other, but he must be distinctly charged in some responsible manner, so that there might be a fair *primâ facie* case—those charges must be made in a distinct and tangible form as the only ground for withholding the application.

MR. ROEBUCK: I will tell the House exactly what I have done. Now, mark! A Petition—a very solemn proceeding—distinctly charges an hon. Member with corrupt practices for the purpose of securing his election. It charges him with bribery, corruption, and treating: that is the first step. The next is, that after steps have been taken to try that Petition, the Member so charged retires. Now, those are two things.

THE CHANCELLOR OF THE EXCHEQUER: The Member has not retired.

MR. ROEBUCK: The Petition is withdrawn ["No, no!"] Wait a moment. The Petition is withdrawn, and then a Member of this House gets up in his place and says, "I have good reason to believe that a corrupt compromise has been entered into between the sitting Member and the persons who presented that Petition." Sir, that is what I state now. I do believe that a corrupt compromise has been entered into between Dr. Michell and the persons who presented this Petition. Well, now, those are the steps. Well, now, if at the end of the Session the hon. Member for Bodmin comes to the Chancellor of the Exchequer and asks him to grant him the office of the Chiltern Hundreds, have we not here the nail driven right home? Can there be a man who can doubt that a corrupt compromise, which I say I believe to have been entered into, has been entered into? Will the Chancellor of the Exchequer get up in his place and say that he believes that? Oh! I know he will say that he has no belief in the matter. But, Sir, I say that there is not one man in this House who when he goes home and talks over these matters with his friends will not say that he believes every word that I have said on the present occasion to be true. Well, then, Sir, I want to know whether it is not the duty of this House to throw every possible obstruction in the way of such a proceeding. What harm can happen if the matter is inquired into? Does the Chancellor of the Exchequer believe that men go to the expense of getting up a Petition and afterwards withdraw it, and then that the Member applies for the Chiltern Hundreds without some consideration? Does the Chancellor of the Exchequer believe that any innocent man would be placed in a position of difficulty by such a course of proceeding? But, Sir, it is like the rest of our proceedings; they are a sham; from the beginning to the end they are dust thrown in the eyes of the public. When we go home and talk the matter over among our friends we shall admit that all this is done with a view to deceive the public. Sir, I shall leave this matter in the hands of the House. I, for one, tell you that your proceedings in the matter are a sham. You are aiming at throwing dust in the eyes of the public, and I leave the case in the hands of the House.

Sir GEORGE GREY: Sir, I do not think that the hon. and learned Gentleman has a right to assume that in this case there has been a corrupt compromise, and that our proceedings are a sham, because we do not happen to agree in his mode of treating the subject. All we want is, that the fact should be established before we either punish the delinquent or take measures which imply guilt. The hon. and learned Gentleman states it to be his belief that a corrupt compromise has been entered into in the case of Bodmin, and thereupon he proposes a resolution which assumes the whole case. He takes up the matter contained in the Petition, and then assumes that the charges which it contains are true. I trust that the House will look to the course that it took in 1842 on the Motion of the hon. and learned Member himself, and he sought to establish the facts of the case by means of a parliamentary inquiry. In that case also it must be remembered that the Members against whom the inquiries were directed were present in the House: the charges were stated to them; some declined to answer the interrogatories which were addressed to them, while others denied the charge; and upon these grounds it was, in a great measure, that the House proceeded to act, and a Committee of inquiry was appointed. Now, in the present case the hon. Gentleman who represents Bodmin is clearly not in the House, or he would have risen before this, and have taken part in the discussion. The hon. and learned Gentleman says, that he gave the hon. Member for Bodmin notice that he would bring the matter forward today. Whether the hon. and learned Gentleman addressed him a letter saying that he intended to bring the matter forward to-day we do not know. No doubt if the hon. Member for Bodmin—[Mr. Roebuck: I wrote a letter to him.] Well, notwithstanding that, we cannot be aware that that letter was received. The hon. Gentleman may be out of town and may not have received the letter, but we have no evidence at this moment that the hon. Member has had notice of it. Your predecessor, Sir, laid down this rule, that if a Member of this House was charged with conduct amounting to a breach of privilege, the proper course to take, if he were not present, was that he should be ordered to attend in his place, and the charges being made in his presence, that he should have an opportunity of denying them. That is the course which I think we ought to adopt in this case, and it is a course the adoption of which common fairness would suggest. The delay of a day or two is all that is involved, and it is all important to the ends of justice that this course should be taken. Under these circumstances I hope therefore that the hon. and learned Gentleman will consent to withdraw his Motion. In addition to this, I think that much might be said against the Motion itself, because it imposes upon Her Majesty's Government a duty which they have no means of discharging. How is the Government to know the facts in each case? In the present case the hon. Member for Bodmin, it must be borne in mind, has made no application to the Government for the Chiltern Hundreds. All we know with respect to the matter is, that the petitioners in this place have availed themselves of the privilege which the law allows them, and to which it gives a direct sanction, namely, that of withdrawing their Petition, which, for all the Government know, may have been a very honest proceeding. The Petition has been withdrawn. That may have been done as part of the corrupt compact which is alleged; but how is any Government to know the fact? If the hon. Member for Bodmin were now to make an application to the Government for the Chiltern Hundreds, the House has the direct assurance of my noble Friend at the head of the Government, that it will not be granted. But suppose for a moment that no proceedings had been taken in this case, how is the Government to know that the Petition has been withdrawn in consequence of a corrupt agreement between the hon. Member and the petitioners. All we want is some proof of the facts, and that I submit to the House can only be ascertained by a Committee. It is quite clear that some proof of the real facts of the case should be furnished before further proceedings are taken. Sir, under these circumstances, if the hon. and learned Member do not withdraw his Motion, I shall move that the debate be adjourned.

SIR HUGH CAIRNS: I think, Sir, that the right hon. Baronet has somewhat misconceived the grounds on which the hon. and learned Member for Sheffield has brought forward this Motion. If the Motion of the hon. and learned Gentleman were directed against the hon. Member for Bodmin, then I apprehend that the House could not advance a single step in the matter until we were satisfied that the hon. Member had received due notice of the intention to bring forward such a charge. I, however, do not understand that that is really the question before the House. What I do understand is this: the hon. and learned Member for Sheffield says, that it is his belief that the hon. Member for Bodmin is about to apply to the Government for the Chiltern Hundreds in consequence of the withdrawal of a certain Petition before the House, and that it is necessary that the House, if it would not be baffled in its inquiry into such subjects, should lay down some general rule applicable to such cases as that to which he has adverted.

Now, Sir, I confess that I was much struck with what fell from the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman stated that in 1842 you had Members present in the House; a number of Gentlemen who in their places did not deny the charges that were brought against them, and that a Committee was appointed for the purpose of investigating the subject. That was of course a clear case, and it was one in which the Government could act. But then the right hon. Gentleman says, I am inclined to go further. Even if there be not a Committee granted, still if an hon. Member rises in his place, and makes a charge against another to the effect that the Petition has been presented and withdrawn, and that one of the parties implicated in that Petition is charged with asking for the Chiltern Hundreds, a *primâ facie* case for inquiry is made out, that if an hon. Member rises in his place and makes a charge against another, that ought to be enough to stay the hand of the Government till the charge has been investigated. Now, Sir, I ask the House whether it would not be possible to take a still further step, and one that would be still more unambiguous, and that would still more meet the case before the House. At present I do not say whether the Resolution of the hon. and learned Member for Sheffield will meet the case or not, but if you have got charges in a Petition of corrupt practices against a Member; if when you are proceeding to deal with that Petition it be withdrawn, and the Member afterwards make application for the Chiltern Hundreds, then I think that is a *primâ facie* for inquiry without anything more.

Now, Sir, the right hon. Gentleman talks of the Government having no power to institute inquiry. I quite agree with him. I apprehend that the House has no intention of delegating its power into the hands of the Government in such a case. But what we ask is, that pending the *primâ facie* case for inquiry the Government should not by any act of its own enable the Member to evade inquiry; and that it should not make any appointment which may be irrevocable, and I must say that when a Petition is withdrawn and the Member applies for the Chiltern Hundreds, the Government must wink very hard indeed if it does not say that that is a *primâ facie* case for inquiry. It may be explained; but it requires explanation, and what we ask is, that the Government shall hold its hand till the House decides whether or no an inquiry ought to be had. Sir, in conclusion I would suggest to the hon. and learned Gentleman that he should withdraw the Resolution which he has proposed, and bring forward, upon a future occasion a Resolution of the character which I have suggested.

MR. ROEBUCK: My Resolution does not touch any particular seat.

SIR HUGH CAIRNS: No; it does not touch any particular seat.

COLONEL FRENCH: Sir, I think that the hon. and learned Member for Sheffield ought to be satisfied with the adjournment of the debate if he is not satisfied with the assurance which the House has received from the noble Lord at the head of the Government, and from the right hon. Gentleman the Chancellor of the Exchequer. The hon. and learned Gentleman has had all he could wish for in the assurance that in this and all similar cases the Chiltern Hundreds will not be granted. The right hon. Gentleman who has just sat down has stated that this question is a general question. I agree that it is a general question, but in substance it is a personal question. The name of an hon. Member of this House has been stated. Notice has been sent to him that this matter would be brought before the House, and it is but justice to that hon. Member that the House should be assured that that notice has been received by him. The hon. and learned Member for Sheffield has stated that that notice was sent by him to the hon. Member for Bodmin, but there is no proof that the hon. Member for Bodmin has received that notice; and I think it is but fair, under these circumstances, that we should not come to any resolution to-night upon the subject.

MR. WHITESIDE: Sir, no hon. Gentleman in this House—not one—would suggest that we should proceed judicially; that is not the question raised, and I think that the hon. and gallant Member who has just resumed his seat has somewhat misconceived the scope of the debate. No one would suggest that we should proceed judicially against any person without giving him notice of the course which it is intended should be adopted. That is not the question which has been raised, but a question of considerable importance. I would suggest that to inquire into the return of a Member to this House is not like an ordinary lawsuit between A.B. and C.D., who if they choose may at any time enter into a compromise. There is a third party to be considered in the case, and that is the House of Commons, and more particularly that large class of Members who desire not a theoretical, but a practical reform of the House, and who think that there is a considerable difference between theoretical purity and practical corruption. By the merest accident I read this morning that a Gentleman who had been unseated upon one of the strongest cases of bribery, not by himself, but by his agents, which had recently come under the consideration of a Committee, had upon a former occasion delivered a most energetic speech in favour of Parliamentary purity and Parliamentary reform. I think that the House should remember that a case might arise in which a Petition against a return might be withdrawn because the Member did not like the aspect of the times, and dreaded the ordeal of a Parliamentary Committee, and because the petitioner was satisfied with the promised retirement of his competitor at the termination of the Session, and it surely is desirable that in such a case the House should strengthen the hands of the Chancellor of the Exchequer in the effort to baffle that corrupt compromise by refusing an application for the Stewardship of the Chiltern Hundreds. But the readiest means of obtaining that object will be to pass a Resolution to the effect that whenever a Petition directly charging corrupt practices is withdrawn, and the Member charged in that Petition afterwards applies for that office, the Chancellor of the Exchequer should be interdicted from assenting to the application until there shall have been an inquiry by the House. Now, I think that if the hon. and learned Gentleman the Member for Sheffield will allow the matter to stand over until it can be fully considered, I believe that the House will have no difficulty in adopting a Resolution of this character. It should be borne in mind that the Motion is not directed against any particular Member, but is really intended to prevent corrupt practices, in the desire to do which the right hon. Gentleman the Chancellor of the Exchequer is no doubt sincere.

SIR GEORGE LEWIS: Sir, I do not understand that there is any very material difference now between the two sides of the House; but I would beg leave to call attention to the fact, that as far as I know there are only two precedents by which we have to guide ourselves. There is first the precedent to which my right hon. Friend the Chancellor of the Exchequer referred, which occurred in Mr. Goulburn's time. In that case there were, with regard to some hon. Members who were charged with corrupt practices, admissions; with regard to some there was admission, and with regard to none was there denial; and there was the appointment of a Select Committee to inquire into the whole of the circumstances. It was under these circumstances that Mr. Goulburn refused to grant the application for the Stewardship of the Chiltern Hundreds. There was another case which occurred when I held the office of Chancellor of the Exchequer. It was the case of Mr. Sadleir, who represented a county in Ireland, and he was the subject of a criminal charge upon which a prosecution had been instituted. I remember being asked whether I would consent to grant him the Chiltern Hundreds during the pendency of that charge, and I stated in this House that I would not grant the Chiltern Hundreds while that prosecution was pending. In point of fact, no application was ever made in the case of Mr. Sadleir, but I have a distinct recollection of having made that statement.

Now, with regard to this case, there is no investigation of any kind pending or ordered by this House. There is neither admission nor denial on the part of the Gentleman on whose case this Motion is stated to be founded, because, although the hon. and learned Member for Belfast said that other charges were referred to as the ground work to form the Resolution, I do not understand the hon. and learned Gentleman referred to more than one case. And I would make this remark. He has brought it forward as a question of privilege; if it be a question of privilege, it must refer to one case, and this Resolution appears in a regular form. I would therefore submit to the judgment of the House whether we should be called upon, without notice and without seeing the Resolution in print, to come to a general decision of this sort upon the plea that we are called upon to consider a question of privilege. The Resolution is to this effect.

> "That in the opinion of this House any Minister would be guilty of a breach of the privileges of this House, who should advise the Crown to confer the office of Steward of the Chiltern Hundreds, or of the Manor of East Hendred, or of the Manor of Northstead, or of the Manor of Hempholme; or of Escheator of Munster, upon any person charged with corrupt practices at an election, and who for the purpose of evading the jurisdiction of this House, has entered into an agreement to vacate his seat upon the withdrawal of the petition, charging him with such corrupt practices."

Well, now, with regard to the present case it may be said that although a Petition has charged the hon. Member for Bodmin, and although the petitioners have exercised their undoubted right in withdrawing that Petition, whatever we may think of their motives, what knowledge have we on the subject except the statement of the hon. and learned Gentleman, which is not substantiated by any recital of facts? How do we know that for the purpose of evading the jurisdiction of this House the hon. Member for Bodmin has entered into an agreement to vacate his seat on the withdrawal of the Petition charging him with such corrupt practices? Even if we are to assume that he made an application to the Chancellor of the Exchequer, I know of no ground on which we are to say that the hon. Member for Bodmin has entered into such an agreement. I only see an allegation, unsupported by any evidence, made by another Member in his seat in Parliament, upon which the House, if it thinks fit, can direct inquiry to be made. I therefore would submit to the House, that in the present state of the case it is utterly impossible to take any course before we have proceeded to investigate the accusation upon which this general Resolution is forwarded, and that if it is desirable to come to a general Resolution, it must be defined in more accurate language than that in which it is now couched.

Mr. GEORGE HOPE: Sir, I trust that the House will allow me to make one or two observations, as the subject of an Election Petition is now under its consideration. It has been thrown out by the right hon. Gentleman the Member for Buckinghamshire, and is well known in this House, that Petitions, although they charge corruption, are often presented without any corruption being known to exist, and without any intention on the part of their authors of proceeding with them. This is precisely what has occurred in my own case. I am not going to trouble the House with my individual grievance, but I consider myself to have been very ill-used by the presentation of a Petition against my own return. That Petition was withdrawn without my knowledge, and without my having been in any way consulted on the subject. No compromise whatever was made by me. It was altogether the act of the petitioners themselves. Now, see in what position I should be placed if the rule suggested by my hon. and learned Friend the Member for Belfast were adopted. One injury has been done me by the presentation of the Petition, and I should have a continuance of that grievance merely by the wrongful act of the Petition having been presented, and then there would be added the deprivation of a privilege enjoyed by other Members. I do not object to the principle of suspense in granting the application in every case of a Member against whom a Petition has been presented, and withdrawn, but there should be some limit to it. Do not let it be said that a man who has been unjustly stigmatized by the presentation of a Petition against his return on the ground of corrupt practices shall be further stigmatized by a Resolution of the House declaring that he shall not be allowed to accept certain office for which other Members might at any moment successfully apply. Sir, as I said before, I do not rise for the purpose of troubling the House with my individual grievance, but I am perfectly prepared to stand any inquiry into the proceedings at my election. An investigation into my own case would give me great satisfaction.

Mr. BRIGHT: Sir, in many of the reasons which have been stated why the House should not agree to the Resolution

I concur, but there is another of some importance. I should be unwilling to assume that every case of compromise is a case of corruption. I can conceive a case in which a Member would act precisely as the hon. Member for Bodmin is alleged to have acted although he had not been guilty of any corrupt practices. A man comes into this House—a great many men can hardly tell how they get here—but a man might come into this House and might find after his return that some friends of his, in the extravagance of their zeal, or in the fierceness of the contest, have done things which are very imprudent, and which a Parliamentary Committee would not sanction, although he himself knew of them at the time of their occurrence; and such a man might not be disposed to incur the expense of an investigation before a Parliamentary Committee; for be it remembered that while some Members of the House are rich, others possess but very moderate means. Of Dr. Michell I know nothing; but if he is a man to whom the expenditure of £1,000 is a serious matter, he might think it unadvisable, although he had not himself resorted to any corrupt practices, to defend his seat—and he might further agree to resign it at the termination of the Session. This may be done without any corruption whatever, and it would therefore be impossible for the House to adopt a Resolution which would assume that all these compromises were of a corrupt character. With regard to this particular case it is not a matter in which the question who is to have the seat is much concerned. The chief question is, what shall be done with the borough? In another case there was a rumour which I will mention to the House. There is another borough in a county in the north of England. It is stated with regard to that small borough in the north, which has not the best of characters, that an apprehension was entertained by the two contending parties that it might be disfranchised if an inquiry into the proceedings at the late election were conducted before an Election Committee, and that they had therefore agreed that a Petition which had been presented against the return should be withdrawn, and that the point in dispute should be left to the arbitration of an hon. Member sitting on the Opposition side of the House, with the view of saving the character, or rather the want of character, of the constituency, and preventing their total or partial disfranchisement.

Mr. Bright

Now, the object in that case was not to save the borough from the terrors of the House of Commons, which certainly no one seems to be much afraid of in cases of that nature, but to save it from the danger of being disfranchised. I think it is not reasonable to say that every Member who resigns his seat to avoid expenses should be charged with corruption. I do not think it fair that a Gentleman should be charged with a breach of the privileges of the House, because upon doubting whether he could successfully defend his seat, he thinks proper to resign it. Now, Sir, I hope that the hon. and learned Gentleman the Member for Sheffield will consent to an adjournment of this discussion, and will not now ask us to decide upon a case of which we cannot pretend to possess any certain knowledge. I submit to the House that in no case ought we to proceed with the debate in the absence of Dr. Michell.

LORD STANLEY: Sir, I do not agree with the hon. Member for Birmingham that the proposal which is now before the House would operate harshly in those cases—cases undoubtedly not uncommon—in which a Member is returned by illegal means of which he had no knowledge. There is no doubt that if this Resolution, or any other resolution of a similar character were adopted, it would not be possible for such a Member by the abandonment of his seat to escape the ordeal of a Committee of this House. But if such a case were brought before a Committee, although the seat would be lost, and the Member himself would be subject to the inconvenience and expense of an inquiry, no personal stigma would fall upon him, because the Committee who inquired into the matter would carefully distinguish between his acts and the acts of an agent for which, although he would be politically responsible he would not be responsible personally. Now, we are all agreed, I believe, as to the object to be attained, and the only question is, as to which of two modes will enable us to attain it in the most satisfactory manner. The proposal recommended by the Government, as I understand it, is that in every case in which a Petition has been presented against a sitting Member, and has been subsequently withdrawn, and in which the Member has afterwards applied for the Chiltern Hundreds, we are not to assume the existence of a corrupt compromise or an intention to defeat the ends of justice, but that we are to grant the application unless some hon. Member shall take upon himself the responsibility of saying that there is a *primâ facie* case of corruption, which he is in a position to substantiate. If this principle were adopted, as recommended by the Government, 99 out of every 100 cases of corrupt compromises would pass without the slightest investigation, because it is a different thing to have a conviction that a certain illegal act has been done, and to know that you would be able to prove it by legal evidence. The mode recommended by the Government appears to require something in the nature of evidence that there was a corrupt object in the arrangement. On the other hand, it is proposed by the hon. and learned Gentleman the Member for Sheffield that you should, without going into the case at all, assume from a certain combination of circumstances, that there was *primâ facie* evidence of corruption. That combination of circumstances consists of the presentation of a Petition against the return of a Member—of its subsequent withdrawal, and immediately after that withdrawal of the retirement of the Member from the seat for which he had not six months before been expending his time and money; that such a combination of circumstances affords *primâ facie* evidence of an intention to effect a corrupt compromise. And the hon. and learned Gentleman moreover says, and this is a point deserving of the serious consideration of the House, that if we established some general rule for preventing corrupt compromises we can offend no individual susceptibilities, while if we require special evidence in each particular case we should find that in nine instances out of ten no such evidence would be brought before us. I am prepared, however, to admit that the words of the Resolution, as it at present stands, are not satisfactory. Instead of the words "any person charged with corrupt practices at an election, and who for the purposes of evading the jurisdiction of this House has entered into an agreement," I think it would be better to insert the following words, "any Member who has been engaged in a Petition with corrupt practices, and who upon the withdrawal of such Petition has applied for any of the said offices;" we do not want to assert the existence of corruption, we only want to say that circumstances have occurred which create such a suspicion of corruption as justify the House in interfering for the purpose of preventing anything being done until the necessary inquiry into the case shall have taken place.

MR. ROBERTSON: I would take the liberty of suggesting to the hon. and learned Member for Sheffield, that in the event of his again bringing forward his Motion he should include in it all cases in which Election Petitions have been presented to this House and subsequently withdrawn. I am of opinion that the House ought to consider the subject generally, and without any reference to individual cases.

MR. NEWDEGATE: Sir, I cannot help observing that the hon. Member for Bodmin has received but scant justice from the Gentlemen upon his own side of the House. I am far from being desirous of making this a party question, but I cannot help saying that I think there is much justice in the observations of the hon. Member for Birmingham upon this subject. In considering the character of the House I think we should not forget the character of the individual Members of whom the House is composed; and if a Member is charged with corrupt practices, the House ought to take care that that Member has an opportunity of defending himself before they accept that charge. The House is asked to proceed only on an assumption that the hon. Member for Bodmin has been guilty of corrupt practices. It is only an allegation and nothing more. I quite agree with the hon. Member for Birmingham, and wish that the same feeling of justice prevailed on this side of the House towards a Member who has always been associated with the Conservative party.

SIR CHARLES WOOD: Sir, I think it will be impossible for the House to affirm the Resolution of the hon. and learned Member for Sheffield, inasmuch as it calls upon the Chancellor of the Exchequer to appoint a Committee upon a matter as to which he has no information. The fact that the Resolution will throw upon the Chancellor of the Exchequer before he takes any proceedings with reference to the granting or non-granting of the Stewardship of the Chiltern Hundreds, the responsibility of making an inquiry which he has no possible means of making, seems to me a sufficient answer to the Resolution as it stands. Now, Sir, I think that the House ought to take time to consider this question. Unless the hon. and learned Gentleman withdraws his Resolution I shall move the adjournment of the debate. I hope the hon. and learned Gentleman will put his Resolution upon the paper in order that this House may know what we really have to discuss. We are all pretty well agreed in substance, but care must be taken neither to impose upon the Chancellor of the Exchequer a duty that he cannot perform, nor to do anything which may be grossly unjust to any hon. Member.

MR. ROEBUCK: I quite agree with several hon. Members as to the necessity of an adjournment, and I think that this discussion will do great good. I hope and trust that the noble Lord at the head of the Government will consent to the resumption of the debate at an early hour to-morrow.

Debate *adjourned* till *To-morrow.*

MR. ROEBUCK: I now move "That the hon. Member for Bodmin (Dr. Michell), be required to appear in his place in this House to-morrow."

Motion *agreed to.*

Ordered, That Dr. Michell, Member of the Borough of Bodmin, do attend this House in his place *To-morrow*, at Six of the clock.

SUPPLY.—CIVIL SERVICE ESTIMATES.

Order for Committee read.

House in Committee of Supply.

(In the Committee.)

(1.) Motion made, and Question proposed—

> "That a sum, not exceeding £17,000, be granted to Her Majesty, for cleansing the Serpentine River, Hyde Park, in the year ending the 31st day of March, 1860."

SIR MINTO FARQUHAR said, that the Vote before the Committee having reference to the Serpentine he would, before making some remarks upon the subject, ask permission to read some extracts from the Report of Mr. Page addressed to the Chief Commissioner of Works, and printed with the Estimates relating to public works and buildings. That Gentleman stated that:—

> "The Serpentine was fed by the stream called the Bayswater River, which, like the other streams and water courses of the Metropolis, was carefully protected from nuisance under the several commissions of sewers until the close of the last century, when the Metropolitan streams were converted into channels for sewage, a practice which has been acted upon and perpetuated by the Board of Health, and which has at length reduced the Thames itself in the summer season more to the character of a sewer than a river. I have found no records to show that this proceeding of the Commissioners of Sewers was approved by the Crown, but the gradual increase of the nuisance led to the passing of an Act in 1834 empowering the Commissioners of Sewers to construct a weir or tumbling bay across the sewer which discharged into the Serpentine, by which arragement it was (strangely enough) imagined that the principal part of the soil drainage would be diverted from the Serpentine, and passed into a tunnel sewer in the Uxbridge Road.
>
> "The value of this arrangement may be judged of by the fact, that as soon as the water in the sewer rose to the level of the weir, and a very little rise would be sufficient for that height, all the soil would pass over the weir into the Serpentine; and a case was related to me by Mr. Mann, the Superintendant of Hyde Park, that when his men were employed in clearing the mud from that part of the Serpentine which lies within Kensington Gardens, and had left their work during the dinner hour, a sudden storm of rain brought such a quantity of night soil over the weir that the bed of the river was covered with night soil five inches thick to some distance from the weir."

The Serpentine had thus become an abomination and a source of disease, instead of what it ought to be, an ornament to the Park. The question of the purification of the Serpentine had been agitated for years. Eleven years ago the inhabitants of Brompton, Kensington, and the neighbourhood presented petitions upon the subject. Judging by the cost of cleansing the water in St. James's Park, the thorough cleansing of the Serpentine would cost between £40,000 and £50,000. He had no doubt that if the Government asked for that amount to render healthy a place that was visited for health and recreation by all classes of Her Majesty's subjects, and by none more than the poor, the House would willingly grant it. It certainly was very bad economy to spend £17,000 and only half do the work. At present, on certain occasions, not only did the drainage of the surrounding neighbourhood, but that also from the Kensall Green Cemetery, and the New Cemetery in the Harrow Road, find its way into the Serpentine. This was most disgusting. During the last fifteen years 3,963,689 persons had bathed in the Serpentine, being at the rate of more than 264,000 persons per annum. All the money they might expend upon the Serpentine would be thrown away unless they prevented the Ranelagh sewer from flowing into it at any time and under any circumstances. On the 20th of July a deputation waited upon the Chief Commissioner of Works upon this subject. Upon that deputation there were several medical men, all of whom concurred in the opinion that the water of the Serpentine was detrimental to the public health. The experiment tried in St. James's Park had completely answered, and he appealed to his right hon. Friend to have the moral courage which was shown by the present Lord Llanover in that case, and deal boldly and effectually with this serious nuisance.

Sir JOHN SHELLEY said, that as all the Members of the House had not had the happy privilege which had been enjoyed by the hon. Baronet, the Member for Finsbury (Sir S. M. Peto), of reading Mr. Hawksley's Report, he thought that this Vote ought to be postponed until that document had been printed and circulated. As far as he understood the plan proposed by Mr. Hawksley, which was entirely novel and had come quite suddenly upon them, it was that the water of the Serpentine, after running through the lake, should be pumped up to the top, filtered, and allowed to run through again, the same water being kept continually passing backwards and forwards. He could not at once condemn a plan which was sanctioned by so great an authority as Mr. Hawksley; but he certainly doubted the possibility of finding a filter bed at a sufficient height above the Serpentine, and he was sure that not one but two filters would be needed. The plan pursued in St. James's Park had, he believed, answered completely, and if this job was to be done at all it would be much better to do it properly. The bottom ought to be levelled; and a supply of water might be pumped from St. James's Park through the pipes which used to convey water from the Serpentine for the supply of the fountain in front of Buckingham Palace, and which still remained in the ground. It appeared to him far better to have a fresh supply of water, than that the same water should be pumped from time to time from the lower to the upper part of the Serpentine. Under all the circumstances, and as he was informed he could not move the postponement of the Vote, he should certainly negative it.

Sir MORTON PETO said, that the hon. Member had referred to the privilege which he had had of seeing Mr. Hawksley's Report. When the right hon. Gentleman, the First Commissioner of Works placed that Report in his hands, he asked him to give an opinion as to the practical working of the plan; and feeling the responsibility of so doing, and knowing that there was a variety of opinions upon the subject, he (Sir S. M. Peto) thought it right to consult the first engineering authority in this country — Mr. Robert Stephenson. Mr. Robert Stephenson devoted two days to the examination of the subject, including the analysis of the water, and he had his authority for stating that he would stake his reputation that the plan proposed by Mr. Hawksley was practical and could be carried out with perfect success. Mr. Hawksley's plan would cost £17,000, while any other that could be proposed would cost at least four times that amount, and as there were good grounds for believing it to be just as efficient, he thought the Committee ought to adopt it. It should be recollected that with regard to depth the Serpentine was very different from the water in St. James's Park—and that a plan which might do very well in one case would be wholly unsuitable in another. He would also state that the plan of the Metropolitan Board of Works when carried out would completely remedy the inconvenience caused by the sewer.

Mr. CONINGHAM ventured to remind the Committee that the proposed improvement in the Serpentine would not separate the rain water from the sewage, which would still continue to find its way into and pollute that river. He was prepared to admit that the plan might be a palliative, but it would never be a remedy until the sewage matter was otherwise disposed of.

Mr. W. WILLIAMS said, it seemed to him that the main point with the two hon. Baronets who had addressed the House, was to get a vote for a larger sum of public money; but if any money at all were voted for this object, he strongly approved of the plan of the Government, especially as one of the most eminent engineers of the day (Mr. Hawksley) had reported in favour of it.

Mr. DARBY GRIFFITH said, the course which it was proposed to adopt with regard to the Serpentine was exactly the reverse of what any hon. Member would do in the case of ornamental water in his own grounds. There the first thing that would be thought of was, in case there was a sewer, to cut off the foul water and to increase the supply of pure water. Here, however, the sewer was to continue flowing into the Serpentine for years. It seemed strange to suppose that a sufficiency of pure water could not be obtained by pumping to obviate this disagreeable necessity.

Mr. ALCOCK felt that it was the duty of the Government to make a good and complete job of this matter, and thoroughly to cleanse the Serpentine, the water of which was at this moment perfectly pestiferous. It would be a disgrace to Parliament, when it voted such large sums for public offices, if it grudged the small sum required for the health of 200,000 bathers. If the Chief Commissioner failed to make a good job of it, and cholera or fever broke out, he would have to fly the country for failing to do that which common sense and common justice should have dictated long ago. What had been done in St. James's Park was well done, and answered thoroughly; and he should be ashamed of the right hon. Gentleman, and of the Government, and of the House of Commons, if a proper plan were not adopted.

Mr. FITZROY said, that the arguments of certain hon. Members certainly appeared somewhat strange; for if the water of the Serpentine was in the pestiferous condition in which some hon. Members represented it to be, it was strange that they should refuse to adopt a plan which was proposed for purifying the water. He believed the plan of the Government was calculated to remedy the evil in the shortest possible time, and it had received the sanction of one of the most eminent engineers of the day. He had endeavoured to explain at a morning sitting, that the method of purification which had proved so successful in St. James's Park would be attended with very considerable difficulty when applied on so large a scale as a water surface of forty-two acres. It was not merely the time which must elapse in cleaning out so large an area which had to be considered, but the noxious exhalations which must arise from the mud when exposed to atmospheric influence, and the difficulty which would afterwards be experienced in obtaining a fresh supply of water. Mr. Hawksley, in one of his Reports, pronounced it to be almost impossible to refill the Serpentine, and expressed a very strong opinion against the policy of emptying a lake containing upwards of 60,000,000 gallons of water, which was incapable of being replaced except by constant pumping for a period of at least six months, and with the assistance of the water companies, or else by very expensive and tedious processes. In another Report, Mr. Hawksley stated that to obtain such a supply as would continue in any sensible stream the water of the Serpentine, after it had been once drained off, appeared to him, under the peculiar circumstances of the case, almost impossible. Any water in the vicinity, from having been corrupted by passing into sewers, or from being required and used for the purposes of canal companies, would be unsuitable for the ornamental water of the Serpentine; and the Thames, even if it were suitable for such a purpose, was at a lower level of fifty feet; and the water of the Thames was, as they knew by experience, in a very foul state. A well sunk in the tertiary or chalk formation would yield but a very small supply. Mr. Hawksley believed that the lake could not be replenished from any of these sources in a manner which would prevent its being filled with organic matter in warm weather. These reports would be sufficient to show the House that the point had not been overlooked. With regard to the sewer which was in the vicinity of the Serpentine, some misapprehension appeared to exist. Hon. Members argued as though the sewer was constantly discharging its contents into the Serpentine. But this was not so. There were two other sewers at the head of the Serpentine, which carried off all the contents of the Ranelagh sewer, excepting when there was an unusually great flood of water, which happened on an average about twice each year, and against which, until the new drainage scheme of the Board of Works was completed, there could be no effectual way of guarding. The very offensive discharge which took place on one occasion, and which had been referred to in the course of the debate, was altogether an exceptional occurrence. It was well known that prutrescent matter of the foulest nature can be neutralized and destroyed by passing through preparations of iron, or other chemical substances. Effectual remedies for purifying this water, under any circumstances, might therefore easily be devised. He had shown the deputation which waited on him some of the river water which had simply been passed through blotting paper, and they thought it had been distilled; it was therefore hardly a fair account to give of the occurrence to state that the water appeared to be "in tolerably good condition." He did not believe he should be justified in putting the country to £60,000 or £70,000 expense when he had had submitted to him a plan which high authorities had declared would be attended with most satisfactory results, and which would cost but one-fourth of the money. Having no professional knowledge himself, he was compelled to depend on the most eminent opinions that he could avail himself of; and, relying on these, he asked the House to sanction the plan now before it, which he hoped would be completed by next spring, and which he had every confidence would make the Serpentine as bright and beautiful a lake as anybody could desire.

Sir MINTO FARQUHAR said, that though he should have preferred the thing being thoroughly done even at a greater cost; yet, on the principle that half a loaf was better than no bread, he would accept the plan of the Chief Commissioner, hoping that it might turn out successful.

Sir JOHN SHELLEY said, the Government plan had come upon him by surprise, and he thought that they should have more materials for forming an opinion before they voted the money. They were asked to vote the money upon the name of Mr. Hawksley without even seeing his opinion or consulting any other engineer. He thought the Vote should be postponed until the production of Mr. Hawksley's Report. Under these circumstances he should oppose the Vote.

Mr. EDWIN JAMES considered that the Chief Commissioner was a little unfairly dealt with in this matter. The right hon. Gentleman had consulted an eminent hydraulic engineer and had taken the best advice, and there was no reason for supposing that the scheme proposed would not be effectual. If it were postponed until the House were agreed as to the plan, considering the conflict of opinion that prevailed, the Serpentine would never be purified. He thought the matter might be safely left in the hands of the Chief Commissioner.

Mr. DARBY GRIFFITH understood that Mr. Hawksley proposed to take the water from the lower end of the Serpentine and pump it up to the upper end, filtering it in its progress; but the right hon. Gentleman assumed that the sewage could be treated in the same manner, and with the same result, which he (Mr. Griffith) did not think Mr. Hawksley contemplated.

Question put.

The Committee *divided:* — Ayes 97; Noes 12: Majority 85.

Vote *agreed to.*

(2.) Motion made, and Question proposed—

"That a sum, not exceeding £12,000, be granted to Her Majesty, for the purpose of restoring, in the year ending the 31st day of March, 1860, the Crinan Canal, which was destroyed by the failure of one of the Embankments, caused by the tempestuous weather in January and February, 1859."

Colonel FRENCH objected to the Vote. A good many people did not know what or where the Crinan Canal was. The Crinan Canal was a private speculation of the Campbell family; and in 1815 the then Duke of Argyll applied to the Treasury for £18,000 to complete the canal, and also for a further sum of £5,800 to pay off a debt then due on it. The Treasury sent an engineer down to examine the canal, who reported favourably; and these two sums of money were then advanced by the Treasury to the Duke of Argyll, on the condition that the profits should go to pay the interest of the money advanced. However, the concern had never yielded anything back to the Exchequer—in fact, had never paid its expenses; and considering we had spent £24,000 and £12,000 more were now required, would it not be better to hand it over to private parties; that was to say, if they could get anybody to take it. At the same time, he would not now oppose the Vote.

Mr. W. WILLIAMS thought it was high time to make a stand against grants for the repair of this canal. The receipts of the work had for several years been less than the sum expended in repairing it. Last year, however, there had been a gain on it of £88 5*s.* 8*d.* The Caledonian Canal and the Crinan Canal had cost this country £1,400,000. The Caledonian Canal had been a still greater failure than the Crinan. Last year the receipts fell short of the expense of maintaining it by £1,800.

Mr. LAING said, that an extraordinary flood had carried away the works of the canal, and the late Government, believing the restoration of those works to be urgently needed, allowed a sum of £12,000 for the purpose. A proposal had been made that the canal should be increased in size and adapted for large ships at an outlay of £80,000; but the Government thought that this would involve too large an expenditure of public money, and refused to sanction it.

Mr. JOHN LOCKE regretted that the hon. Member for Stirlingshire (Mr. Blackburn) was not in his place, for he was fond of repeating that Scotland never got any of the public money; but this was a Vote exclusively for her benefit, and if, as the hon. Member had argued, the Thames ought to be purified by a rate on the metropolis, the cost of repairing the Crinan

Canal ought equally to be defrayed by a rate on Scotland.

Mr. LINDSAY said, that he could not understand on what principle this Vote was demanded. Why should the Government continue an undertaking which was likely to continue a losing one, and from which the public as a whole derived no benefit?

The CHANCELLOR of the EXCHEQUER said, that the principle on which the Vote was founded was simple. He could understand that hon. Gentlemen might criticise the practice of annual payments, which the House was called on to make, and be anxious to get some of these burdens off the public. But that was not the question now. The Crinan Canal did not require an annual Vote, but the present Vote was for the purpose of repairing the effect of a sudden accident; and the question was, whether the House would allow the traffic of the canal to be stopped, and the canal itself to go to ruin, for want of timely reparation. That would be irrational. The late Government would have been inexcusable if they had not ordered the repairs. It was true they had done so without the authority of the House, and very properly, for the case was one which did not admit of delay.

Mr. BRADY said, that the best reason for objecting to the Vote was to be found in the following lines of the Report of the engineer:—"It has been impossible to trace the failure to any more immediate cause than the original imperfection of the embankment." The money now asked for might, therefore, be as well thrown into the canal at once.

Mr. BLACK owned that an extravagant sum had been laid out upon the Caledonian Canal, but that was before the reformed Parliament, when in return for their support of the Government a number of jobs were carried through by the Scotch Members, which now they were unable to perpetrate. If, however, hon. Gentlemen would compare in the present Estimates what was given to Scotland with the amount of public money voted to England and Ireland, they would see that Scotland would not get nearly an equal proportion. With regard to this canal, the Committee must remember that it was not the property of Scotland, but of the whole nation:—it was a public work. Would they, then be so foolish as to let it go to rack and ruin for want of the necessary repairs?

Mr. LAING said, that the embankment referred to in the report was that of the reservoir and not of the canal. Mr. Walker, the engineer, stated that £12,000 would restore the reservoir and the canal as it was before The canal was a great convenience for a large district of Scotland; and although it was only adapted for small steamers, yet if it could be enlarged so as to admit the passage of large steamers, it would be a still greater convenience.

Mr. FINLAY said, the canal was not only useful as a passage but as a harbour of refuge for small vessels, which would otherwise have to go round the Mull of Galloway, which was the uttermost point of Scotland.

Mr. EDWIN JAMES hoped the House would not agree to the Vote. There was no analogy between this Vote and that for the Serpentine, which latter was a national object free to the enjoyment of the nation; whereas the Crinan Canal was neither more nor less than a public highway, the trustees of which had the power of levying and did levy high tolls on every ship and person passing through. These over-ruling accidents like the one on which the present Vote was sought, would be constantly occurring if companies were to look to public grants to repair them. The canal was a water highway which shortened the distance between Loch Fine and the Caledonian Canal, and you never heard of any Commissioners of Highways coming to the House for public grant.

Mr. SMOLLETT, as Member for a neighbouring county to that represented by the hon. Member for Stirlingshire, although generally agreeing with him in opposing public expenditure, should vote for this grant.

Question put.

The Committee *divided*:—Ayes 87; Noes 40: Majority 47.

Vote *agreed to.*

(3.) £135,000, Submarine Cable between England and Gibraltar.

The CHANCELLOR of the EXCHEQUER said, he would take this occasion to state the position in reference to the Vote which the present Government occupied. When the present Government assumed the reins of office they had found that arrangements had been entered into by their predecessors with a house in London for the manufacture of a cable 1,200 miles long, which was estimated to be sufficient to extend from Falmouth to Gibraltar. The actual cost of the cable was contracted for at £115,000; so that the Committee would see that the great bulk of the sum which was asked for the purpose in question was to meet a charge which had been incurred in the case of a contract which had been concluded before they came into office. He had touched upon the question when he proposed the nomination of the Committee on Packet and Telegraphic Contracts, and he was of opinion it was, upon the whole, convenient that it should be dealt with as a portion of that subject. As this contract had been entered into it was the obvious duty of Government to take the measures requisite to secure that the article now being manufactured was good, and likewise in order to prepare the way to make future use of it. For that purpose he asked for £20,000 at present, reckoning that that sum would defray any charge which would arise between the present time and the next meeting of Parliament; when, if necessary, he would have the opportunity of making another application. He proposed to apply the money, in the first instance, to make experiments with regard to the peculiar construction which had been recommended to the Government for the envelope of the cable. The Committee was aware of the difficulties in laying deep sea cables, and how much depended on the weight, and therefore on the materials of which the envelope was composed. Experiments would require to be made and the Government also desired to lay out a certain sum of money with a view to the protection of the cable, that the whole winter might not pass without commencing making the envelope. The Committee would understand two things; first, that in asking for this Vote there was no wish to keep the matter out of the jurisdiction of the Committee which had been appointed to consider all these questions, and secondly, that it was in no degree intended to foreclose the question whether it was more expedient to proceed to lay down cables by the agency of the Government on its own account, or to make arrangements with some competent and responsible company to undertake it. For his own part, he did not hesitate to say that he had the strongest prepossession against the operation being undertaken by Government, and in favour of others doing it. On the whole, he thought it would be found a very useful and important national enterprise, and he hoped the Committee would see that the field of discussion was not a very wide one, and would vote the sum which he now asked.

MR. W. WILLIAMS remarked that £135,000 was not a very small sum.

THE CHANCELLOR OF THE EXCHEQUER: £115,000 has already been contracted for.

MR. W. WILLIAMS said, this was a reason why the whole question should be left to the Committee. He asked whether the Government and the House were responsible for the contract. He thought the Vote should be withdrawn till the Report of the Committee had been arrived at; and if the Government did not withdraw it he hoped the House would place on it their negative.

MR. HANKEY said, that every Member must recollect the extreme anxiety which prevailed in the last Parliament to have a telegraphic communication with Gibraltar. Considering our peculiar situation in the Mediterranean, and that it was of the utmost national importance in the event of a war with France, and considering that as a commercial speculation it never could pay, although he was unwilling to sanction any anticipation of the decision of the House with regard to the expenditure of money, he thought that if ever an exception could be made out it was in this case. He hoped the Committee would agree to the Vote.

Vote *agreed to.*

(4.) £10,000, Expenses of a Coinage of Copper mixed with other Metal.

THE CHANCELLOR OF THE EXCHEQUER said, he was afraid it would be necessary for him to make a short statement to the Committee on the subject, but it was one which he had great confidence would be satisfactory. He had the greatest pleasure in proposing this Vote, which he ought to tell the Committee would be £10,000 instead of £50,000. It was immaterial which sum it was, as the profit to be derived would more than cover the expense, and there was no real charge connected with it. The estimate was reduced, because at first it was thought that in order to carry on operations with energy and rapidity it was desirable to purchase presses and supply them to the contractors, which, on further inquiry, was found not to be necessary. The Committee had, without doubt, observed when they had occasion to handle the copper coin of the country that a great deal of it was in a very bad condition, and disfigured by advertising inscriptions stamped upon it. He had a specimen of one of Her Majesty's pennies, and there appeared round the edges "*Lloyd's Weekly*

Newspaper, post free," and on the other side some equally interesting announcement. A great deal of the copper coinage had been investigated, and the result was that a large portion of it was found to be very old. Rather more than one-fifth was of dates between 1797 and 1805. It varied in weight, and although the practical inconvenience was not great, because the public were familiar with it, yet if an old and a new penny were shown to persons unacquainted with them, no one would ever dream that they represented the same value. The old penny was worth nearly half as much again as the new one. The old penny was coined at the rate of sixteen to the pound, and the lightest of the new was twenty-six to the pound. Only 15 per cent of the copper coinage had been issued since 1852. The whole value of the copper coinage was £800,000, and the quantity of copper used in it was 3,530 tons. Taking the copper at £107 10*s.* per ton, the actual value was only £379,000; so that the copper coin was a pure token, the intrinsic value being less than one-half the nominal or apparent value. It was therefore evidently useless to speak of its value, and all that need be considered was the public convenience. In order to ascertain the state of the copper coinage a considerable quantity had been examined in the large towns. It was found that copper coinage of towns was better than that of the country, probably because old coins always lingered longer in the rural districts. The result of the investigation in London, Birmingham, and other large towns showed that about one-third of the whole was below its legal state, and ought to be withdrawn. A part of it was counterfeit, another part foreign coins, and another injured, battered, and inscribed, according to the fancy of individuals, as he had stated. The result was that one-third required renewal. If it were renewed such as it now was he should be obliged to ask for a Vote of £40,000, and that Vote would not be replaced, but would be an expenditure out and out. It would, of course, be submitted to cheerfully enough if the copper coinage did not admit of any improvement; but he believed it was capable of great improvement. It was exceedingly heavy and cumbersome, not durable, and the metal was not very agreeable handling; it communicated a smell. It was very easy to substitute a metal more convenient and agreeable. It would be an admirable practice to follow in the beat of our continental neighbours. *The Chancellor of the Exchequer* Gentlemen would recollect what was the state of the old copper coinage of France. It was much the same as our own. The coins had almost lost all signs of any effigy, and were rudely shaped lumps of metal. Within the last few years it had been called in, and a bronze metal substituted. He held in his hand a French penny, which was very little larger than an English halfpenny. It was very convenient, very nice in appearance, and a most agreeable coin to handle; it was in every respect a much more desirable coin than ours; and the result of the operation, as he was informed, had been that the French had paid for the expense of converting the coin, and realized from the reduction of weight a profit not far short of £500,000. No such profit could be expected in this country, the quantity of copper coinage not being so great, but relative to its extent there was no reason why the operation should not leave a profit analogous to that obtained in France. The new copper coinage would not affect any question of the currency or computation; it would leave all such matters exactly as they were; nor would it have anything to do with the decimal system. The object to be gained by the substitution he proposed was to exchange for the present ugly and inconvenient coins pieces harder, more convenient, and more agreeable, and he did not doubt the public would have equal confidence in them. The effect of improving the copper coinage will be to produce a largely increased demand for it. In Paris the increase in the demand after the new coins were issued was 50 per cent. This experience was very encouraging, as a larger demand would be attended by increased profit. The metal proposed to be used for the new coins was bronze; it contained four parts of tin and one part of zinc to ninety-five parts of copper, which was increased in hardness by the alloy. In reference to this point he should mention that there was a Bill passing through the House, extending the penalties for forging the copper coinage to forging coins of the mixed metal. There was some doubt whether they were incurred by the offence, and as a precaution it had been thought better to introduce the Bill. The new coins would be much lighter than those in present use; the change of metal would enable them to be made much thinner in proportion to their superficies, and their intrinsic value would not be more than half that of the present coins. The quantity of copper now coined into twenty-six of the old pennies would make forty-five of the new ones. If the 3,500 tons of the old copper were called in and recoined, the profit would be about £92,000; but if there was an increased demand for the new coin, to the amount of 25 or 30 per cent, that would still leave a considerable profit on the operation. One great advantage of the new coin would be its superior durability. The use of bronze was not new to the Mint; the metal had been tried for coinage in Canada and Nova Scotia, and the new issue here would resemble the small coinage adopted in those colonies. The present Master of the Mint was perfectly acquainted with the whole subject, which he had explained in a very clear manner, which could not fail to be satisfactory to the Committee. He hoped the Committee would make no difficulty in agreeing to the Vote of the reduced sum required for the preliminary expenses of the change.

Mr. GLYN thought they were indebted to the right hon. Gentleman for having brought the question forward. There could be no doubt that the copper coinage was in a very bad state. An increase in the supply of copper coins was called for, and he hoped facilities would be given for extending the new coinage into every district in the kingdom. He believed that the profit realized would be even greater than that mentioned by the right hon. Gentleman.

Mr. HANKEY wished to know whether the new coinage would be struck at the Mint or by private contractors. It might be more advisable to have it made at Birmingham than at the Mint. He thanked the right hon. Gentleman for having taken the matter up.

The CHANCELLOR of the EXCHEQUER said, it was proposed to execute a certain portion of the work at the Mint, because the Government had there establishments, presses, and power. The great bulk of it, however, would be executed out of the Mint by contract, and he presumed a large share of it would be done at Birmingham.

Mr. DARBY GRIFFITH asked whether the proposed arrangement implied the abandonment of any attempt to introduce a decimal coinage?

The CHANCELLOR of the EXCHEQUER was of opinion that little life remained in the scheme of a decimal coinage after the operation which had been performed upon it by Lord Overstone. But his proposal did not interfere in the slightest degree with that question. The new penny would have precisely the same place in the coinage as the present penny, and the Legislature would be just as competent, if it so willed, to decimalize the coinage. It could be done as well with the new as with the present penny.

Mr. HUBBARD said, that if a new copper coinage were substituted for the old, and a decimal system were hereafter introduced, the whole of that copper must again be called in and passed through the Mint; and he did not think there were any possible means of avoiding that except resorting to the very awkward plan of stamping the coin by its new designation. If the House and the Government accepted the new copper coinage, they would in fact be accepting the entire condemnation of the decimal system, at all events during the existence of the present generation.

Mr. AYRTON thought that, on the other hand, a lighter penny would facilitate the adoption of the decimal system: if it were otherwise he should exceedingly object to the change. He hoped that the size of the farthing would not be reduced below what it was at present, or it would be a great inconvenience to the people.

Vote *agreed to.*

(5.) £174,000, Harbours of Refuge.

Mr. LINDSAY said, that if the larger plan recommended by the Commission of 1845 for the works at Dover were carried out at the rate at which they were now going on, the cost to the country would be upwards of £6,000,000 sterling. A smaller plan, recommended by Mr. Walker, was now being carried out, and he would not object to the Vote, if the money was required for completing the existing contract. As far as the works had gone they were certainly useful to the public, and particularly for the landing and departure of passengers between France and England. He trusted that the Government, when they had finished off the pier, would not think of going on with the gigantic scheme of the Commission; for if they did they might rely upon it that the harbour of refuge would never be of value at all equivalent to the sum expended upon it. He wished to know if they meant Alderney to be an harbour of refuge or a harbour of defence? Environed as it was with rocks and shoals, he contended that as a harbour of refuge it would be utterly worthless, whilst as a place of defence it was the opinion of military men that in the event of war we could not hold it with a less force than from 5,000 to 8,000 men. Well, what had Alderney been costing us? If we had gone on with the original plan it would have cost the country £2,500,000 before it could be completed: but he believed that that plan had been materially curtailed, and that it was now intended to limit the total expenditure to about £1,500,000. To expend that sum, however, upon the place as a harbour of refuge would be sheer waste of public money. Again, if it would require 8,000 men to hold Alderney, the consideration arose whether those 8,000 men would not be of more value somewhere else. He wished to know, then, what were the intentions of the Government with respect to the works at Dovor, and to what extent they meant to go in the expenditure of money at Alderney.

Mr. LAING said, that with regard to Dovor, all that was contemplated was to complete the contract which was now going on for the Admiralty pier. There was not the least idea of constructing a harbour of refuge there at the present time; and if hereafter such an idea were entertained—which he did not anticipate—nothing would be done without giving the House of Commons the opportunity of first pronouncing an opinion. In reference to Alderney he could not pretend to give an opinion upon it, so far as the military part of the question was concerned. The real state of facts was that the harbour was more for the purpose of defence than a harbour of refuge with reference to commercial purposes. The estimate for constructing it was £1,300,000, and the amount already expended was £800,000.

Colonel DUNNE said, that the late Duke of Wellington considered Alderney as of the highest value in a military point of view; and it was the opinion of competent military authorities that 2,500 men would be sufficient for its defence.

Sir MORTON PETO said, it had come to his knowledge that the plan of the works at Alderney had been altered no less than five times since the original contract was entered into, and the consequence was that the shape of the harbour next the sea, instead of being convex, was concave. There were rocks also so situated at its mouth that if a ship on attempting to enter made too much lee way she was sure to drift upon them.

Sir CHARLES WOOD said, that the alterations referred to were simply for extending the pier and increasing the size of the harbour.

Captain LEICESTER VERNON said, that the great value of Alderney was not so much as a harbour of refuge as a great military outwork that commanded naval motions at Cherbourg, where it was scarcely possible for a gun to be fired without its smoke being seen at Alderney. From what he had heard Sir John Burgoyne say, he could corroborate the statements of the hon. and gallant Member (Colonel Dunne) with regard to the number of men that would be sufficient for the garrison of Alderney. 2,500 men could garrison it completely, and when the works were finished it would be as difficult to take Alderney as Gibraltar itself.

Vote *agreed to.*

(6.) £50,000, Civil Contingencies, (to complete the sum of £100,000 of which £50,000 was voted on account last Session).

Mr. WISE supposed that this money was "loose cash" in the pockets of the Treasury. He wished to ask the Secretary of the Treasury if there was any prospect of the sum advanced to the Monte Videan Government being repaid, and also whether there was any chance of the £2,000 advanced in 1857 for the chapel at Paris being reimbursed. He complained of the large sums that were laid out upon diplomatic expenses and outfits. He saw the sum of £2,200 put down for the Chancellor of the Exchequer's Mission to the Ionian Islands. The Committee ought to have some explanation as to the necessity for that Mission. At any rate he trusted some good had or would result from it. There was a sum put down for expenses connected with the settlement of the differences between Turkey and Persia, though similar charges had been made before. The truth was, the sums payable for these Civil Contingencies could not be understood unless the expenses for several years were collated. He saw £9,000 put down as the charge for Sir Henry Bulwer's mission to the Danubian Principalities, of the result of which the House had never been informed.

Mr. HUTT called upon the Attorney General to explain the necessity of expending £2,300 in ascertaining the claims for compensation under the Act for the Abolition of the Ecclesiastical Court.

The CHANCELLOR of the EXCHEQUER was very much obliged to the hon. Gentleman (Mr. Wise) for having noticed the expenditure for the late mission to the

Ionian Islands. As to the amount charged he was not cognizant of all the particulars. All that had passed through his hands in connection with that mission, and defrayed all the expenses with which he was connected was £1,300. He was not cognizant of any other expenditure. The hon. Gentleman had said very kindly that he hoped good would result from that mission. As far as he was concerned, his great desire was to lay before the House all the information in his power with regard to the reasons that induced the late Government to send him on that mission and with regard to its operation. It would be a very welcome day to him when the reports that he transmitted to the Government could be printed and laid on the table of the House, because then he thought the whole nature of the transaction would be explained. But it had been the opinion of the present Lord High Commissioner that it was not for the public interest in the Ionian Islands that those reports should be published at present. No doubt they would be published as soon as the Lord High Commissioner thought they might be published without disadvantage to the public interests, and he (the Chancellor of the Exchequer) should be very contented to rest his defence on those reports. But in the meantime, if it was not too great presumption, he felt that his thanks were due to the Members both of the present and of the late Parliament for the very great forbearance they had exhibited with regard to the whole subject. The mission had been commented upon a great deal out of doors in a sense much more unfavourable than favourable, and he thought the silence of the House on the subject was a rare example of that indulgence and generosity for which the House of Commons was on all occasions so conspicuous. He trusted that his reports when published would show that the very kind indulgence of the House was deserved.

The ATTORNEY GENERAL said, he heartily wished that he could give information to the hon. Member for Gateshead (Mr. Hutt) as to the item for ascertaining those claims for compensation to which he had referred. The rules with regard to those claims were precisely laid down in the Act for the Abolition of the Ecclesiastical Court, and all that was required to be done by that Act was to obtain a return showing the amount of compensation that ought to be awarded. The Government of Lord Derby issued an unpaid Commission for the purpose of inquiring into that return, but he could not pretend to say what was done by that Commission. He had no more information on the subject than any Member of the House. He supposed that some of the agents and officers connected with the Commission had been paid salaries.

Sir STAFFORD NORTHCOTE said, that although he was one of the three Commissioners, he was afraid he could not give the hon. Member for Gateshead very minute details as to the expenditure referred to. He must correct the hon. and learned Attorney General on one point. It was not the fact that the Commissioners were unpaid. Two of the three Commissioners—namely, Mr. Follett and himself, were paid. He was not a member of the House at the time of his appointment by the late Government. When his right hon. Friend the Member for Durham (Mr. Mowbray) undertook this inquiry he (Sir Stafford Northcote) was called from abroad to assist him. He certainly could not have undertaken that very laborious office, which involved remaining in town for several months and very close attendance, without receiving some compensation for his services. He could assure the hon. and learned Attorney General that far from being a simple matter, it was a most laborious operation, involving considerable research and occupying much time. It was far more than the mere simple process of referring to the returns of the Income Tax Commissioners. They had to separate the profits which both proctors and solicitors earned in the Ecclesiastical Court from those that they earned, for instance, in the Admiralty Court; and they had also to calculate the capital employed, and to separate the interest on that capital from the profits for which alone the claimants ought to be compensated. This was very far from being an easy work. It would have been if they had adopted the usual Treasury mode of doing the work—that is, to take the statements of the claimants, and to see that they in some tolerable degree corresponded with the evidence produced in support of them. Had the Commissioners taken that course, he had no hesitation in saying that the sum voted for compensation would have been half as much again as it was. As one instance of the manner in which they proceeded, he might state that a gentleman who claimed £3500 a year for compensation, went away satisfied that he ought only to receive £1500. He wished to call the attention of the Secretary to the Treasury to the circumstance that many items included in this vote, were continually appearing year after year, and did not properly partake of the character of civil contingencies—namely, expenses that occurred unexpectedly.

The ATTORNEY GENERAL explained that he had been induced to look upon the task of the Commisioners as a simple one, because the late Chancellor of the Exchequer had stated to the House that reference would be made to the income tax returns.

Mr. DISRAELI wished to remind the Committee that when he introduced this subject to the House on a former occasion, he estimated, from the highest authority he could obtain on the question, that the country must be prepared to pay in the way of compensation the sum of £150,000; but, through the supervision of his hon. Friend the late Secretary for the Treasury (Sir Stafford Northcote) and the other Commissioners, that sum had been reduced to £120,000. He thought the Committee would admit that those could not be idle or superficial exertions that produced such a result. He felt it his duty to bear his testimony to the arduous labour which his hon. Friend and his colleagues had undergone; and he believed that there had been no occasion when men devoted themselves more assiduously to their duties, whether paid or unpaid.

Mr. HUTT expressed himself perfectly satisfied with the explanations offered by the hon. Gentleman opposite.

Mr. LAING said, there was a good deal in the suggestion of his hon. predecessor (Sir Stafford Northcote), that many of the sums included in the Civil Contingencies were of annual recurrence, and ought to appear as estimates. He would see that that and the other suggestions thrown out in the course of the discussion were duly attended to if he should have any share in preparing the next Estimates.

Mr. W. WILLIAMS complained of the continued appearance for several years of a charge—£2,000 this year—for settlement of disputes between Turkey and Persia, a matter in which we had no interest. Other items, too, were out of place in this Vote; such as a charge for fitting up St. James's Palace and Chapel on the occasion of the Princess Royal's marriage. The charge should have been included among the expenses of Royal Palaces. He saw a sum of £1,220 for the Commission appointed for the University of Cambridge, which he thought ought to be defrayed out of the income of the University and colleges. Then, fees were charged payable upon conferring their dignities upon the following Knights of the Garter: — The King of Portugal, £439; the Prince of Wales, £731; and Prince Frederick William of Prussia, £439. Why should fees be paid by the public under such circumstances? Then he saw a payment of £22 18*s.* 6*d.* for the pardon of Rudio; he did not know what this country had to do with that. There was a payment of £60, the cost of gold watches to two French officers who accompanied a gun presented to Her Majesty by the Emperor of the French. He saw Her Majesty's liberality extolled in the newspapers on this occasion, and he therefore never expected to see this item in the Votes. Another item was of £2,850 for cost of provisions supplied to the inhabitants of Madeira during the distress and destitution consequent upon the cholera epidemic. Madeira was a Portuguese colony, and he did not see what we had to do with such an outlay. Another item was £666 paid to Dr. Barth for fifty copies of the two remaining volumes of his work on Central Africa. He doubted whether the people of this country derived any advantage from that Vote. There was an item for expenses of the Royal Household not provided for in the Civil List, which was only £3,957 the year before last, but which amounted to £8,250 last year. This item seemed to be surreptitiously introduced—why was it not included in the usual Estimates? There were many other items in this vote which he considered most objectionable, but as the money had been paid there was no redress.

Mr. LAING said, these were not Estimates for the ensuing year, but details of a sum of £100,000 actually expended before the present Government came into office, and which it was not, therefore, for him to explain. Whilst he (Mr. Laing) advocated economy quite as much as the hon. Gentleman, still he felt that there must always be a number of petty items such as these, which would be always occurring in the expenditure of a great nation. The outfit for Foreign Ministers had been considered for many years fair and equitable, and a great nation could hardly avoid defraying these and similar little expenses in a liberal way. The hon. Gentleman asked why the expenses of the Royal Household, not provided for in the Civil List, had not been put into the usual Estimates. Well, take the case of the expenses incurred in fitting up the Chapel Royal, St. James's, for the celebration of the marriage of the Princess Royal. Was such an event to be deferred until Parliament met, and until an estimate could be laid before it?

Mr. W. WILLIAMS said, he would let the hon. Member off for this time, as the money was not of his spending; but he gave him warning that if his own Contingency Estimates were not in better order next year, he should hear more about them.

Mr. DARBY GRIFFITH said, there was an item of £421 for fees on conferring the title of Baron of the United Kingdom upon Sir Colin Campbell. He thought that these titles of honour ought not to be the means of extorting money out of the pockets of the officers who had won such honourable distinctions.

Sir STAFFORD NORTHCOTE wished to observe, that as these Votes extended over a period of twelve months, during the first ten of which he was unconnected with the office, he was in a worse situation than the hon. Gentleman (Mr. Laing) with regard to explaining them.

Mr. WILSON said, that as many items as possible had been taken out of the Civil Contingencies and made matter of Estimate. If the House insisted on having unascertained charges placed in the Estimates, it would always be necessary to take a Vote large enough to cover the highest calculation of them; and the result would be that the House would never get any account. The present was the only mode in which such charges could be brought under the surveillance of the House.

Sir STAFFORD NORTHCOTE could not but think, however, that some sort of an average of this branch of expenditure might be carried out.

Mr. W. WILLIAMS was strongly of the same opinion.

Vote *agreed to*, as was also,

(7.) £462,350, Disembodied Militia.

House resumed.

Resolutions to be reported *To-morrow*.

SUPPLY.

On Question that the House resolve itself into a Committee of Ways and Means,

SCOTCH AND IRISH PACKET STATIONS.

OBSERVATIONS.

General UPTON called the attention of the House to the station selected for the packet service between Ireland and Scotland—viz., Portpatrick and Donaghadee. He believed these were not the best ports that could have been selected for the purpose, and he would be prepared to move for an inquiry into the subject next Session. Meanwhile he hoped the Government would not press the application of the sums that had been granted for this service.

Mr. W. WILLIAMS said, they had been told years ago that the sum then voted for Donaghadee was the last that would be asked. He quite agreed with the gallant General, and thought this would be merely the occasion of wasting large sums of public money.

Mr. VANCE thought it was very desirable to shorten the passage between Ireland and this country as much as possible, and as the ports in question were the two nearest points of the two countries he thought it very desirable to complete the accommodation proposed.

Sir ANDREW AGNEW said, Commissioners had been sent down to examine this matter, and they decided to be in favour of Donaghadee and Portpatrick. Parliament had acted on their decision, and it was now too late to disturb the arrangement.

Colonel DUNNE said, there was a Vote of £20,000 for Donaghadee, and he should like to know whether this was to be the last Vote, or the commencement of a series of similar Votes?

Motion *agreed to*.

House in Committee.

WAYS AND MEANS.—RESOLUTIONS.

COMMITTEE.

1. *Resolved*—

"That towards making good the Supply granted to Her Majesty, there be issued and applied to the Service of the year, 1859, the sum ot £250,106 9*s*., being the Surplus of Ways and Means granted for the Service of preceding years."

2. *Resolved*—

"That, towards making good the Supply granted to Her Majesty, the sum of £11,924,362 11*s*. be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

House resumed.

Resolutions to be reported *To-morrow*.

MILITIA LAWS AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

Mr. SIDNEY HERBERT moved that the Bill be read a Second time.

MR. BYNG asked the right hon. Gentleman whether he intended to carry out any of the recommendations of the Militia Commission, except those which were included in this Bill.

COLONEL DUNNE gave notice that when the Bill went into Committee he should move an Amendment, limiting the power of the Lords-lieutenant to amalgamate regiments of militia to cases in which the strength of each regiment was under 500 men; and to provide that the number of officers should be in proportion to the number of men.

MR. SIDNEY HERBERT was obliged to the hon. and gallant Colonel for giving notice of his proposed Amendment, but he would remind him that in dealing with small regiments, with a view to save the expense of separate staffs they might have occasion to add a very small regiment to one over 500 men, and that to limit the number in each might defeat the object of the Bill. He had not yet been able to give all the attention it deserved to the Report of the Militia Commission, and all that he proposed to do during the present Session was to obtain power to carry out such of its recommendations as excited no opposition. During the recess he should consider the whole Report.

Bill read 2°.

STAMP DUTIES BILL.—COMMITTEE.

Order for Committee read.

MR. SELWYN moved the following Resolution to enable the Committee to introduce the following clause:—(Probate duty extended to property above the value of one million.)

> " So much of the Act 55 *Geo. III.*, c. 184, and the schedule thereto, as imposes probate and inventory duty where the estate and effects are of the value of £1,000,000 and upwards, shall be repealed; and in lieu thereof, in all cases where the estate and effects for or in respect of which any probate, letters of administration, or confirmation, shall be granted, or expeded, or whereof any inventory shall be exhibited or recorded, shall be of the value of £1,000,000 and upwards, there shall be levied and paid to Her Majesty the following duties: — For every £100,000 of the whole value of such estate, or any fractional part of £100,000, the sum of £1,500 in cases of testacy, and the sum of £2,250 in cases of intestacy."

The object of this clause was obvious. It was to prevent estates very dissimilar in value being taxed to the same extent. This was clearly unjust.

MR. LAING said, that there was no objection to the clause on the part of the Government. As a matter of form there must be a Committee of the House upon it to-morrow before it could go into the Bill.

MR. HUBBARD suggested that the probate duties required a general revision.

House in Committee.

House resumed.

Committee report progress.

PROBATES AND LETTERS OF ADMINISTRATION (IRELAND) BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

MR. VANCE proposed to introduce a clause giving compensation to the clerks of proctors in Ireland, who had been reduced to a pitiable state by the recent Act, admitting solicitors to practise in the ecclesiastical courts.

THE CHAIRMAN stated that it was not competent to the hon. Member to introduce such a clause.

Bill passed through Committee.

House resumed.

Bill *reported* without Amendment.

TURNPIKE ACTS CONTINUANCE BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

MR. ALCOCK objected that the Bill gave the power to impose tolls on turnpike roads on which no debt was due. There were cases in which a small debt was kept up on purpose to give the right to impose the toll. He would move as an Amendment that the Act do not continue beyond November, 1860, to any trust, except in cases where the bond debts due remained unliquidated, or amounted to less than one year's income.

SIR GEORGE LEWIS explained that the object of the Bill was simply to avoid the expenses which would fall upon insolvent trusts if they were compelled to come to the House annually to renew their trusts. There was no desire to interfere with solvent trusts.

Bill passed through Committee.

House resumed.

Bill *reported*, without Amendment.

DIVORCE COURT BILL.

SECOND READING.

Order for Second Reading read.

THE ATTORNEY GENERAL said

that this measure, as originally brought in by the Government, was intended simply to improve the procedure and facilitate the transaction of business in the Divorce Court. The Act of Parliament provided that the power of dissolving marriages should not be exercised except by a full Court, composed of the Judge Ordinary and two of the Common Law Judges, taken from the Chief Justices and Chief Baron, or the three senior puisne Judges. The amount of business transacted in the Court had turned out to be more considerable than had been expected, in consequence of the previous non-existence of any such tribunal, and the accumulated cases of many years had therefore been brought before it owing to the facilities it afforded. It had therefore been found that the duties of the six Judges who were available to form a full Court prevented them from acting with sufficient regularity in that capacity. The result had been a great increase of expense to suitors; and the Bill therefore provided that all the Judges in Westminster Hall should be competent to preside as members of the full Court. This was the principal object of the present Bill. The 4th clause of the Bill, which extended its operation to Ireland, did not form part of the measure in its original shape, and had been introduced into it at the suggestion of a noble and learned Lord in the other House, and with the almost unanimous concurrence of the noble Lords who represented that country in that branch of the Legislature. The next clause gave the Judge of the Court a discretion to sit with closed doors in those cases in which public decency seemed to him to render the adoption of such a course expedient. The experience of the Judges in these cases had induced them to recommend the clause, while the interests of morality recommended it to the House; a subsequent clause extended the power of the Court so as to render it competent to interfere for the protection of the children of persons seeking for a dissolution of marriage as well before as after the decree for such dissolution was pronounced. The remaining clause of the Bill had for its object the providing of still greater safeguards against collusion than at present existed; for it was found that in undefended cases the Judge was unable to ascertain anything relative to the antecedents of the parties to a suit, or the position of the witnesses, beyond that which the counsel for the petitioner might think proper to furnish from his instructions. The subject of preventing collusion between parties to a divorce was much discussed when the Bill was originally before Parliament; but it was thought better to wait until some experience was gained of the working of the Court; and it had now been thought desirable to take some steps for the appointment of an officer—the Attorney General—not to make a preliminary inquiry, but to see that no collusion existed. A suit of that description always suggested the possibility of collusion, and the Bill therefore armed the Court with power, whenever such a cause arose, to direct inquiry to be instituted out of doors into the circumstances by which it was surrounded. The object of the Bill was, in short, to render more certain, more definite, and more expeditious the administration of justice in the Divorce Court, and he hoped the House would consent to read it a second time, reserving the consideration of its details until it went into Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HENNESSY said, In rising, Sir, to move the rejection of this Bill, I am ready at once to acknowledge the general accuracy with which the learned Gentleman has described it. He says, very truly, that it is a Bill which tends to facilitate and to render more extensive in its action an important Act of Parliament. Believing that such is the case, but believing also that the Act thus to be rendered more powerful is the worst Act of Parliament which Her Majesty has ever sanctioned—believing it to be an Act which, on political, social, moral, and religious grounds, should never have been passed, I cannot hesitate about moving that this supplementary Bill be read this day three months. I do not think it necessary to go at any length into the general question involved in the Bill. In its present shape I object to the fourth, fifth, sixth, and seventh clauses. The fifth clause, which states that the Court for the sake of decency may hold its sittings with closed doors, is a fair indication of the character of the Court. The sixth clause gives to the Judge a power of controlling the education of the children of divorced parties, which may, under certain circumstances, be most objectionable. The seventh clause provides what seems to me to be a most inadequate and delusive check on collusion. But it is to the fourth clause I am most anxious to call the attention of the House. That clause says, "All persons domiciled in any part of the United Kingdom (except Scotland) may sue in the said Court for a dissolution of marriage on the grounds stated, and according to the rules laid down in section 27 of the original Act." This is an indirect and covert way of getting Ireland under the action of the Bill. I hope the Government will not venture to support this clause. Not a single petition was ever presented from Ireland praying for divorce. Not a single Irishman ever expressed any desire to have this Court exercise any jurisdiction at the other side of the Channel. The Lord Chancellor when he prepared the Bill inserted a clause relating to Ireland. On the urgent representation of Lord Monteagle he withdrew it. Unfortunately he was subsequently induced to place Ireland again in the Bill. The vacillation with which his Lordship's movements on this point were characterized indicated the dangers he foresaw. I can assure the Government that a storm of indignation will be raised in Ireland when this unprecedented transaction is made known, and when the people learn how an attempt to bring them under the action of this Bill was promoted by the Ministers of the Crown. Even if my urgent request that the Government will strike the fourth clause out of the Bill be acceded to, I shall still feel it my duty to divide the House. I shall under all circumstances and on every occasion be prepared to protest against the principle that Parliament can sanction the dissolution of marriage. I know no more unequivocal method of entering a protest on the subject than by going to a division.

Colonel DUNNE seconded the Motion, on the ground that the Bill was equally objectionable to the Protestants as to the Roman Catholics of Ireland.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Mr. CARDWELL hoped the presence of the clause would not induce the hon. Gentleman to divide. He thought it exceedingly open to the attention and consideration of the House. He did not think it at all advisable that the Divorce Court should be extended to Ireland, or that this was the best way of doing it; but that was a question which could be discussed in Committee, and therefore need not delay the second reading of a measure for the better management of the Court of Divorce in England.

Lord NAAS was sorry that the right hon. Gentleman (Mr. Cardwell) had not made a more distinct declaration on the subject of the 4th clause, extending the Bill to Ireland. If the Government did not express their willingness to consent to the expulsion of that clause, he (Lord Naas) and hon. Members on his side of the House could not consent to the second reading.

Mr. CARDWELL intimated his willingness to consent to the expulsion of the clause.

Mr. Serjeant DEASY said, that he agreed that the provision was especially objectionable to Catholics and Protestants in Ireland, and he believed that the Government would not press it.

Mr. LYGON regretted that the original Act should have been so hurried through the House as to require every succeeding year a Bill to amend and explain its provisions. The law was in an anomalous state. There had been two private Bills for Divorce from India, but no application for the last two years from Ireland. It was proposed to extend the Act to Ireland, but he thought it should be extended to India and not to Ireland.

Mr. M'EVOY hoped that the Motion for the rejection of the Bill would be pressed, feeling, as he did, the strongest objection to a measure which he believed would be detrimental to the interests of morality.

Mr. MALINS said, that he had anticipated that great public evils would arise from passing the Act constituting the Court, and experience justified his anticipations. When they saw, day after day, that marriages were dissolved quicker than they were solemnized, they might well look with alarm at the institution of the Court. It would, however, be exceedingly wrong of the House, unless they were prepared to repeal the original Act, to put any obstacle in the way of passing the clauses of this Bill, so far as it increased the number of Judges who might sit in the full Court.

Captain ESMONDE said, he would oppose the Bill, unless there was a pledge that the clause extending it to Ireland would be struck out in Committee.

Mr. CARDWELL repeated that he was willing to give an assurance that the Government would not advocate the clause in Committee for extending the Bill to Ireland.

Mr. WHITESIDE appealed to his hon.

Friend not to divide the House, but blamed the Government for bringing forward the Bill in its present shape. If the 1st and 2nd clauses only had appeared, there would have been no opposition.

Mr. HENNESSY said, he would press his Amendment to a division.

Question put, "That the word 'now' stand part of the Question."

The House *divided:* — Ayes 118; Noes 13: Majority 105.

Main Question put, and *agreed to.*

Bill read 2°.

ENDOWED SCHOOLS BILL.

COMMITTEE.

Order for Committee read.

Mr. DILLWYN moved that the Order be discharged. He did so because he was opposed to the principle of the Bill as it came up from the Committee. The Bill, as he introduced it, recognized the rights of Dissenters; as it came up from the Committee those rights were invalidated. He should oppose the Bill by every means in his power; and he gave notice that as early as possible in the next Session he should introduce his original Bill on the subject, and keep the question in his own hand.

Mr. LOWE, in justice to the Committee, whose decision was thus impugned, wished to state exactly what it had recommended; he was not going for a moment to suggest that they should proceed with the Bill then, but the House ought to know what were the recommendations the hon. Member repudiated with so much scorn. What the Committee proposed was this—that in all Church of England schools, where the contrary intention was not expressly manifested in the deed of settlement, the children of Dissenters should be admitted without being obliged to learn the Catechism or attend the services of the Church of England. That was one concession. In the case of the Ilminster School the trustees were displaced merely because they were Dissenters, after the usage of 150 years, during which Dissenters had been appointed trustees. The Committee recommended that where twenty-five years' usage could be shown of the appointment of Dissenters they should be competent to be trustees, notwithstanding any doubt as to the construction of the original instrument. This was another concession. Both these concessions were proposed by the hon. and learned Member for Belfast (Sir Hugh Cairns), supported by the right hon. Member for Carlisle (Sir James Graham) and the noble Lord the Member for King's Lynn (Lord Stanley), and almost unanimously agreed to. The House, therefore, could judge how far the hon. Gentleman was justified in treating with so much contempt the decision the Committee had arrived at after full consideration, and the amendments by which such positive benefits were conferred on the Dissenting body.

Mr. G. HOPE, as a Member of the Committee, regretted the course the hon. Member for Swansea (Mr. Dillwyn) had taken. The opinion of the Committee was that the Dissenters derived more benefit from the Bill as amended than they would have done from the measure as originally introduced. The Bill, as it first stood, would not at all have remedied the evil complained of as to the appointment of trustees.

Order *discharged.*

Bill *withdrawn.*

MEDICAL ACTS AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

Mr. WHITESIDE moved, that the House resolve itself into Committee on this Bill.

Motion made, and Question proposed, "Tha Mr. Speaker do now leave the Chair."

Mr. COWPER moved, that the House resolve itself into Committee that day three months.

Amendment proposed—

> "To leave out from the word 'That' to the end of the Question, in order to add the words 'this House will, upon this day three months, resolve itself into the said Committee," instead thereof.

Mr. WHITESIDE resisted the Amendment, which he contended would be an act of injustice to the University of Dublin.

Mr. Serjeant DEASY concurred in the opinion expressed by Mr. Whiteside, and added that the Bill was simply intended to remedy a clerical error in the Medical Act of last year, which excluded licentiates in surgery of the University of Dublin from its operation.

Mr. J. D. FITZGERALD said, that the omission was a mere clerical error.

Mr. DUNLOP denied that there was any clerical error in the Medical Act, which was passed in its present shape intentionally.

Question, "That the words proposed to be left out stand part of the Question," put and *agreed to.*

Main Question put and *agreed to.*

House in Committee.

Clause 1.

Mr. COWPER said, the object of the clause was to extend the operation of the Medical Act from the masters in surgery by degree in Irish Universities, to licentiates, a measure which was never contemplated by the former Act, and moved that the clause be struck out.

Mr. EWING moved, that the Chairman report progress.

Motion made and Question put, "That the Chairman do report progress."

The Committee *divided:* — Ayes 19; Noes 97: Majority 78.

Clause *agreed to.*

Clause 2 struck out; remaining Clauses passed through Committee.

House resumed.

Bill *reported.*

SETTLED ESTATES ACT (1856) AMENDMENT BILL.—SECOND READING.

ADJOURNED DEBATE.

Order read, for resuming adjourned dejourned Debate on Question [1st August], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. BYNG moved, that the Bill should be read a second time that day three months.

Amendment proposed to leave out the word "now," and at the end of the Question to add the words "upon this day three months."

Mr. WHITESIDE was willing to consent to the insertion of any clause which might be proposed to prevent Sir T. B. Wilson interfering with Hampstead Heath.

Lord FERMOY said, that the Bill would have the effect of giving power to Sir Thomas Wilson to enclose Hampstead-heath, and that was a measure to which, as a metropolitan Member, he was determined to give his strenuous opposition. The Bill had been already rejected seven times, four times by the House of Lords and three times by the House of Commons.

Mr. MALINS denied that the object of the Bill was to enclose Hampstead Heath. It only gave powers to Sir Thomas Wilson to enclose land which was scarcely within view of the Heath, and the promoter of the Bill was prepared to introduce a clause to prevent the enclosure of Hampstead Heath.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 36; Noes 68: Majority 32.

Words *added.*

Main Question, as amended, put and *agreed to.*

Bill *put off* for three months.

NORWICH WRIT.

WITHDRAWAL OF MOTION.

Sir MORTON PETO, who had a Motion on the paper "that Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Citizen to serve in this present Parliament for the City of Norwich, in the room of Henry William Schneider, Esq., whose Election has been determined to be void," said that since he had placed that Motion on the Votes, he had received such communications from Norwich as had convinced him that it would be for the character of the House and the welfare of the inhabitants of that city that the issue of the writ should remain suspended until the House had heard the evidence taken before the Committee, and also until the claim of the other seat had been decided on public grounds.

House adjourned at Two o'clock.

HOUSE OF LORDS,

Friday, August 5, 1859.

Minutes.]—Public Bills.—1ª Endowed Schools; Coinage; Probates and Letters of Administration (Ireland); Police (Counties and Boroughs); Turnpike Trusts Arrangements.

2ª Law Ascertainment Facilities.

3ª Militia Ballots Suspension; Court of Probate, &c., (Acquisition of Site) (No. 2.); Dwellings for Labouring Classes (Ireland); Local Government Supplemental; Colonial Legislatures Power of Repeal; Barbuda Government; Railway Companies Arbitration; Marriages (Lisbon); Charitable Trusts Acts Continuance.

NATIONAL EDUCATION IN IRELAND.

QUESTION.

The Earl of CLANCARTY rose, according to notice, to ask the Lord President of the Council whether it is the intention of Her Majesty's Government to propose any change in the system of National education at present in operation in Ireland, with a view to the relief of those who availed themselves of it? The noble Earl said, My Lords, although the Question I am about to ask the noble Earl opposite is one that immediately relates only to Ireland, it is the most important that can be asked regarding the interests of that part of the United Kingdom, and, therefore, cannot be one of indifference to your Lordships. The education of the poor in Ireland has long occupied public attention, and been the subject of much investigation. Many plans have been proposed for it, and much is done by private enterprise to promote it; but that plan with which the public are chiefly concerned is the great experiment of united education, now above a quarter of a century in operation, to which the Parliamentary grant is exclusively applied, and which is called the National system. The noble Earl opposite, having in 1854 presided over a Select Committee of your Lordships appointed to inquire into its operation, is no stranger to the subject; the inquiry was a very searching one, and the information the Committee was enabled to lay before Parliament was such as ought to have led to immediate legislation. The necessity for such a step has since become more apparent, and no man observant of the progress of opinion in Ireland can ignore the fact that the education system in that country is in a most unsatisfactory state, and that very extensive modifications, if not an entire change of principle, have become indispensably necessary in order to render it comprehensive, efficient, and truly national. It has failed in all its primary objects. It has failed, except in the model schools of the Board, of uniting children of different religious denominations in the same schoolroom; it has failed in uniting the Protestant and Roman Catholic clergy, as joint patrons of its schools. The low estimation in which it is held by the gentry of the country may be inferred from the fact that the total amount of their subscriptions does not come up to 4 per cent of the expenditure, and it has failed of diffusing a knowledge of letters. I believe the design of the system to have been originally liberal and patriotic, intended, while showing peculiar favour to none, to induce clergymen of different religious denominations to co-operate in carrying into effect an united education for the Irish population, but practically the system has been as intolerant and exclusive as if it had been altogether sectarian. It meets with no approval from the clergy and with little acceptance from the people. The conscientious objections of the Protestant clergy to the restrictions of the Board upon religious instruction were declared in the outset, and have in no degree given way. The Church of Rome has also declared its disapproval of the system, and if to a very great exent its schools have been and still are under the patronage of the Roman Catholic clergymen, they have been taken up by them for the most part as a means of counteracting the operation of schools in connection with the Established Church, rather than with the zeal and desire to promote their efficiency, which they would have evinced if their schools were conducted upon the principles of their church. The time has gone by when public money can be applied with the sanction of Parliament to the furtherance exclusively of the interests of any particular sect, and I rejoice that it is so, but that is no reason for instituting or maintaining a system of National Education adverse to the interests of all religious denominations, interfering with the proper ministrations of clergymen in their own schools, and excluding from the general school-room all Scriptural as well as all doctrinal teaching, whatever openings may occasionally offer for impressing the youthful mind with those motives to rectitude of conduct which can only be drawn from the Word of God. Such separation of secular from religious instruction may consist with the teaching of figures, and to read and write, but the mind will not be educated; the character of the child will assuredly not be formed upon the Christian model in schools which ignore the Word of God. None of your Lordships could feel that in so providing for the education of your own children, you had done by them the duty of Christian parents. Why, then, should the poor, and the most dependent poor of all,—namely, the poor of Ireland, be coerced so to educate theirs? For coerced they are when you present them with no other alternative but that of rearing their children in ignorance. When such a system of education was proposed for this country in 1839 it was ignominiously rejected; but for Ireland there was no help, it was determined that the experiment of united secular education should be forced upon her. Well, what has been the result? Why, besides having failed in its main object, it has in no degree furthered the intellectual improvement of the nation. I might safely assert this from my own observation, but I prefer to rest it upon the impartial testimony of the Census Commissioners. Referring to their general report, part 6, page 42, I find that in the year 1851, just twenty years from the institution of the National Board, there were of all ranks and classes in Ireland only 33 per cent able to read and write, and that while in Leinster, which includes the large mercantile communities of Dublin, Drogheda, and Dundalk, the educated persons amounted to 39½ per cent of the population; in Connaught they were as low as 23 per cent, with no less than 62 per cent totally illiterate. This extent of ignorance, lamentable as it is, would probably have been much greater but for the work done by private enterprise, and by societies unsupported by public money. The chief of these is the Church Education Society, educating, according to its last report, 82,289 pupils in 1,687 schools; of other educating societies I have no statistics, but I believe they educate a large though necessarily a limited number of poor children. That what they do is well done may be inferred from the fact that ignorance is most prevalent in those counties where there are fewest church schools, and that in those counties where they are most numerous, there is a rivalry between the Church and the National school most favourable to the progress of education. Thus Londonderry contrasts favourably with Waterford, the census returning 36 per cent educated persons in the former, and only 23 per cent in the latter, and, probably, on the same account, the county of Antrim contrasts still more favourably with the county of Mayo, the former giving a per centage of 44½ educated persons, and only 15 per cent totally illiterate; while in Mayo there are returned only 16 per cent educated persons, and as many as 73½ per cent totally illiterate. I should be wanting in justice to the Roman Catholic body, however, if I did not state that to a considerable extent they also give education gratuitously to the poor without any aid whatever from the State. I hold in my hand from the Irish Ecclesiastical Register a list of schools, furnished to me by the Roman Catholic Bishop of Clonfert, as maintained by the Christian Brothers, they are 132 in number, and educate as many as 14,810 children, and, I believe, their schools are most ably conducted, as well as popular with the Roman Catholic poor. Other Roman Catholic schools are also carried on by monks and nuns without aid from the National Board, of these I have no return; but I think it right to observe that where the disposition exists thus to co-operate in the work of education, whether upon Protestant or upon Roman Catholic principles, it ought to be encouraged rather than repressed by any regulations of the Government. With the large numbers returned by the National Board as under education in their schools, amounting, according to the latest Report, that for 1857, to as many as 776,473 distinct pupils, or above one-eighth of the entire population of Ireland, such a prevalence of ignorance, as is shown in the educational census, appears incredible; but it may be accounted for by looking further into the same Report, for the numbers on the school rolls are no guide as to the numbers really under instruction. The return given of the average attendance would be a surer guide, but even that is not to be relied on. What may, I think, be fully relied on are the reports of the Boards' head inspectors, men generally of the highest character and intelligence. The Commissioners give in their appendix the full notes and general remarks of two of their head inspectors, Messrs. Keenan and Hunter, upon 117 ordinary National schools, of which Mr. Keenan visited 64 in Donegal and Fermanagh, and Mr. Hunter 53 in the southern counties. From the numbers in attendance at each of these schools, it appears that in very few is the actual attendance equal to the reported average; it was, in fact, miserably small, being, in the 117 schools, 625 less than according to the reported averages it should have been. If to this irregularity of attendance it be added, that the average age of the school children scarcely exceeds nine years, it will be manifest that there is much to account for backwardness of education and prevalence of ignorance. I am far, my Lords, from censuring the Commissioners for the general failure of the National system; they have done their utmost to fulfil their commission and to recommend their principle of education to public acceptance. Agricultural, industrial, nautical, and general elementary schools, wherever they are called for, and an attendance of pupils promised, are all either established at the charge of the Board, or liberally assisted, on condition, however, of strict conformity with their rule regarding religious teachings. They have compiled and published some admirable books of elementary instruction, modern history, which appears to be a stumbling block in the way of united education, being the only subject omitted. They have established excellent training schools for teachers, whose efficiency they endeavour afterwards to promote by the award of premiums. Their model schools in point of architecture and management, are admirable, but unfortunately never imitated. They have overspread the country with well-built and commodious school-houses, and their staff of inspectors appears to be in general both efficient and well chosen; but all this only shows how unsound the system must be in principle since it has failed of success. If the principle of the system be modified or altered the country will be much indebted to the Commissioners for the excellent machinery they have provided for giving it immediate effect. When I have argued in favour of assimilating the plan of education in Ireland to that in operation in England the only objection that the friends of the National system urge against it is that it would throw the education of the people wholly into the hands of the priests. I think such a view of the case extremely illiberal. Provided the people are free to avail themselves of whatever schools they prefer, I see no reason why the Roman Catholic clergy should not be invited and encouraged to co-operate in the work of National education as well as the clergy of other religious denominations, and, unless found to be inconsistent with the general interests of the country, the development of Roman Catholic education should be perfectly free. In practice the priests have had, and still hold, the patronage of about three-fourths of the national schools. What they desire, and I think rightly desire, is that they should be allowed to manage them in conformity with their own religious views. I would only further claim that a like privilege should be conceded to Protestants. If this were done and all brought under the inspection of officers appointed by the Government, a principle of emulation would operate to give a wholesale impetus to the work of National education, which would thenceforward cease to be a delusion and a bye-word. Those who regard education as the great lever of national progress have long looked for some such alteration, especially since the Committee of Inquiry of 1854. Continual changes of Government have, however, operated to delay the consideration of the subject. When the late Government took office, a promise was made that a proposition upon the subject should be submitted to Parliament, and the late Secretary for Ireland is reported to have stated that a measure was to have been submitted in the present Session. Unfortunately, this was prevented by the late change of ministry, and it was certainly with no little feeling of disappointment that upon the accession to office of the noble Lords opposite I heard, in the Ministerial statement of the noble Earl regarding the policy of the new Goverment, no allusion whatever to the subject of education. I have heard it, however, since rumoured that it is in contemplation to appoint a Commission to report upon it. This course, my Lords, I would earnestly deprecate; there has been ample inquiry, and the only effect of appointing such a Commission would be to delay a necessary reform. Such a step would further be regarded as a shifting of responsibility from the Government to an ephemeral body, and as taken without any serious thought of dealing with the question. I trust the noble Earl will, in answer to my question, be prepared to say something reassuring to the friends of education in Ireland. I, therefore, beg to know whether it is the intention of Her Majesty's Government to make any modification or change in the system of national education in Ireland for the relief of those who object to avail themselves of it; and if the answer should be affirmative, it would add much to its value if the noble Earl would say at what time it might be expected, and whether it would be made on the authority of the Lord Lieutenant, or have to be previously submitted to Parliament?

EARL GRANVILLE said, that before answering the question put by the noble Earl, he wished to allude to the reference which he had made to his attendance on a Committee which sat some years ago to inquire with regard to this very important subject. The noble Earl could not have forgotten that the Committee, after repeated and minute investigations, and having heard a large amount of evidence, had separated without consenting to make any recommendation to Parliament. He was somewhat surprised that the noble Earl, after remaining silent during the entire time that the late Government was in power, and not having, so far as he was aware, applied the slightest Parliamentary stimulant to that Government, with a view of inducing them to effect any change in the national system, should now come forward to complain that no steps had been taken or promises given by the present Administration. Of this he did not complain; but he regretted that the noble Earl should have put his question at a time when the noble Earl (the Earl of Derby), who was the author of this scheme of education, was not in his place, so that he might have stated what the intentions of the late Government were, and how far his own views were now favourable to a modification of the system. With regard to what had taken place in Ireland, no person could regret more than he did the want of co-operation between different sects which was so desirable in a matter like this, and the absence of which he regarded as a very great evil; and he certainly had entertained some hopes that the feeling of the noble Earl and of other members of that Committee, who were among the most eminent leaders of the Conservative party, would have carried weight with those who objected to the National system of education on conscientious grounds, and would have led them to abstain from making those divisions more personal and hateful, on the ground that they would not consent to any system which did not enable them to administer religious instruction in the Bible; a part of the system to which Roman Catholics objected. He did not wish to argue this question; but when the noble Earl appealed to the judgment of their Lordships, he might be permitted to say that so far as his own recollection went, he had not the slightest remembrance either at private or at public schools of any Biblical instruction having been mixed up with the education which was being administered, either in reading, writing, arithmetic, classics, history, or geography. He did, therefore, feel some regret that his noble Friend should not have modified the views of something like strong hostility which he entertained to the National system; although, with the candour which distinguished him, he had admitted that there were some good points in it. Far be it from him (Earl Granville) to say that the working of the system in Ireland was perfect; he was not aware that so much could be said of any human institution; and he would be the last person to assert anything of the kind with regard to the system of National education in this country. He was perfectly free to admit that the existing system did possess its disadvantages and anomalies, and he was bound to state his opinion founded on information he had received, that if extended to Ireland it would not insure that popularity which was requisite to the achievement of success. But, at the same time, he did not believe that the National system which existed in Ireland had proved a failure; on the contrary, he believed that it had been of the greatest possible use to the people of Ireland, and it certainly would have proved of far greater advantage if the two extreme parties, instead of opposing, had combined and co-operated to carry it out. With regard to the question put by the noble Earl as to the appointment of a Commission, which seemed to alarm him, he could only reply that very ample inquiry had already taken place, and a great deal of information had been collected; he did not think it would therefore be desirable to institute such a Commission, nor, so far as he was aware, had any suggestion to that effect been proposed. The noble Earl also wanted to know if it was to effect any changes, without stating what those changes were to be, and likewise wished to be informed as to the time at which those changes were to take place. He could only reply that while the Government would adhere to the general principles of this system, he had no doubt his noble Friend the Lord Lieutenant and the Chief Secretary for Ireland would examine into it; and if they saw occasion for introducing modifications which would not conflict with that general principle, and which would not, in their opinion, be productive of disadvantages greater than at present existed, he felt confident that they would not hesitate to adopt that course. But he was utterly unable to give the noble Earl any distinct pledge on the subject.

THE EARL OF DONOUGHMORE quite agreed with the noble Earl who had just sat down, that the national system as originally promulgated might have been suitable for Ireland if it had been carried out in its integrity; but at present that system had become an imposture, for it was no longer in practice what it professed to be in theory. The national system was founded on the principle of united education; all parties and all sects were to give up their prejudices, and even their principles, for the purpose of meeting together on the common ground that in all schools the general education should be neutral as regarded the religious opinions of the persons attending. There was something intelligible in that code, and if it had been fully carried out there would have been nothing to complain of; and he himself would have been glad if it had had a fair trial. He regretted to say, however, that the original principles of the system had been departed from. One of the first rules laid down under that system was, that the ministers of different religious denominations were to be joint patrons of the school, and that no aid was to be given except to schools established on that principle. The next rule was, that the schools were to be vested in the Commissioners themselves, and that they should have an amount of authority over them which in reality they had never possessed. The first departure from these fundamental rules was in the admission of ministers of separate religious denominations to be patrons of these schools; and next, they transgressed their own regulations by permitting the existence of non-vested schools. The result of the adoption of the non-vested system was that patrons had the power of excluding any religious instruction of which they disapproved, without regard in any way to the wishes of the parents of the children. Out of 5,000 schools in connection with the National Board, 3,000 are non-vested and under the management of Roman Catholic priests; so that as a united system of education the system had utterly failed—putting aside the fact that for more than twenty-five years the vast majority of the clergy of the Church of Ireland had consistently protested against it, and that it had not in any way received that support which was expected from the laity. The system therefore, was to be condemned as an imposture. Having read, in common, he doubted not, with many of their Lordships, the report of the discussion which had taken place elsewhere, he had been very much gratified at the tone which pervaded it, and at its freedom from that acrimony and religious and party animosity which for so many years had characterised the debates with regard to that question in both Houses of Parliament. Their Lordships must perceive that since 1854 a great change had taken place in the aspect of this question. At that time there was little or no hostility to the system on the part of the Roman Catholics; whereas the feeling was now very different, and there was at present being held a conference of Roman Catholic bishops, with the object, he believed, of sending forth a declaration that the system, as it now existed, was not in accordance with their views. Bearing in mind, then, that for such a number of years the Protestant clergy as a body had continued most strenuously to oppose it in its present shape, that the Presbyterians were but lukewarm friends of the National system, having only consented to take advantage of it because a special arrangement had been made to meet their views, and that the whole Roman Catholic hierarchy was now about to declare against it, he thought it was evident that in its present shape the system could not much longer be continued. He owned he would be sorry to see the whole system broken up, and therefore he regretted that some modification had not taken place in 1854, which would have conciliated the great majority of the clergy of the Established Church. But now he warned noble Lords that the system could not be saved—it was too late. The Catholic, Protestant, and Presbyterian clergy, were against it. As to the denominational system, some seemed to entertain fears of the power it would give the Roman Catholic clergy over their flocks. He (the Earl of Donoughmore) entertained no such fears. Let the Roman Catholic clergy have due influence over their flocks, but let them not put the clergy of the Established Church in a worse position as regarded theirs. Place both upon an equal footing. That was all he asked. The result of the denominational system would be, he hoped and believed, to excite a healthy competition, and the people would be educated. This after all is the great object to which the legislature should look. At all events, the denominational system was the only system now possible.

VISCOUNT **DUNGANNON** said, he agreed with his noble Friend. The existing system was opposed both by the clergy of the Established Church and by those of the Roman Catholic Church, and the Presbyterian body gave it a very doubtful and cold support. The denominational system would, he thought, in Ireland be productive of much good, and he hoped to see it fully established there. The present plan satisfied no party, or sect, or class—it was totally abortive, was displeasing to all, worse than useless, and could not long go on as it was now constituted.

THE EARL OF **LEITRIM** said, he could not agree in the censure pronounced upon the National system of education in Ireland. Noble Lords seemed to confine their attention altogether to the opinions of the clergy of the several denominations; but he begged to remind their Lordships that there was another body whose claims ought not to be quite overlooked — he meant the laity. If those clergymen were so overpowered by the force of their conscience, why, in the name of God, did they not teach the children when they came out of the schools? The system imparted a good sound English education where the English language was hardly known before. It would be a very hard case if the laity were to be left uneducated and untaught merely because certain of the clergy could not agree about particular points of doctrine. The teachers in those schools ought to be properly paid, and placed in a position to command attention. If the National system were supported, it would stand notwithstanding all the opposition of the clergy, and the people would be thankful for their education.

LAW ASCERTAINMENT FACILITIES BILL.

SECOND READING.

The LORD CHANCELLOR, in moving the second reading of this Bill, said, that when questions arose in this country as to the law of Scotland, &c., the Courts here ascertained the law by examining Scotch and other lawyers, which caused enormous expense to the parties. Under this Bill when any question arose the Court was enabled to remit a case to the Court of the country the law of which was in dispute. That Court would state the law, and their opinion would be applied by the Court making the remit.

The EARL OF DONOUGHMORE: Does the Bill apply to Ireland?

The LORD CHANCELLOR had not specially referred to Ireland, because the law of England and Ireland was almost identical. But if any question arose in any of the Irish Courts as to the law of Scotland the Court of Queen's Bench there would remit the matter to the Court of Session in the same manner as the English Courts would do, and then the Judges of the Court of Session would declare the law of Scotland, and remit their answer to the Court of Queen's Bench in Ireland.

Bill read 2ª, and *committed* to a Committee of the Whole House on *Monday* next.

House adjourned at Seven o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, August 5, 1859.

MINUTES.]—PUBLIC BILLS.—1° Charitable Trusts Act Continuance; Militia Pay; European Troops (India); Consolidated Fund (Appropriation); Marriages (Lisbon).

2° East India Loan; University and College Estates Act (1858), &c., Amendment; Reserve Force; Corrupt Practices Prevention Act (1854) Continuance; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Inclosure; Sale of Gas.

3° Coinage; Probates and Letters of Administration (Ireland); Police (Counties and Boroughs) Law Amendment; Turnpike Trusts Arrangements; Chief Superintendent, China; Speaker of the Legislative Council (Canada).

KINGSTON-UPON-HULL ELECTION.

COLONEL GREVILLE DISCHARGED.

The Serjeant-at-Arms, attending this House, informed the House that he had taken Colonel FULKE GREVILLE into his custody.

MR. J. D. FITZGERALD said, he was authorized by the hon. Member for Longford to state that he was absent from his place, when the members of the Hull Election Committee were summoned to be sworn, on account of what he conceived to be imperative and urgent public duty; but immediately that the notice of the General Committee on Elections reached to his residence in Ireland, stating that he had been selected as a member of the Hull Election Committee, he started on his return to London for the purpose of performing the duty which had devolved upon him; and on his road he met the Serjeant-at-Arms. He (Mr. FitzGerald) was authorized to say that the hon. and gallant Gentleman did not intend in the slightest degree to neglect his duty as a Member of that House, or to be guilty of any disrespect to the House. He was also requested to state that if any parties had been put to any inconvenience or expense by his absence he very much regretted it.

SIR FRANCIS BARING (Chairman of the General Committee on Elections), said, that all the proceedings taken in this matter were taken in pursuance of the Act of Parliament; none of the steps hitherto adopted could have been avoided; but now further steps to be taken were in the discretion of the House. It was necessary, according to the Act of Parliament, that the hon. and gallant Member should be sworn at the table to serve on the Committee, but it was also in the discretion of the House to instruct Mr. Speaker to censure the hon. and gallant Member, or to take any other course it thought fit. He hoped, however, that the House, after hearing the statement of the right hon. and learned Member for Ennis, would not think it necessary to proceed to any further step. The hon. and gallant Officer must be aware that he had put parties to considerable inconvenience and expense, and it was unnecessary, under the circumstances, to add to the pain he must feel on that account by any censure from Mr. Speaker of the House. He therefore moved that Colonel Greville be discharged from the custody of the Serjeant-at-Arms on the payment of the fees.

Mr. BEAMISH seconded the Motion.

Ordered,

That Colonel Fulke Greville be discharged out of custody of the Serjeant-at-Arms upon payment of his fees.

SUPPLY.—REPORT.

(1.) "That a sum, not exceeding £17,000, be granted to Her Majesty, for cleansing the Serpentine River, Hyde Park, in the year ending the 31st day of March 1860."

Sir JOSEPH PAXTON said, he thought that the Committee, in voting this sum of £17,000 yesterday, came to a conclusion on what he considered very insufficient information. So far as he could understand—for he was not present at the discussion—it was advocated as a cheap plan of carrying out the improvement; but he thought that on the slightest examination it would be found that the sum of £17,000 did not represent the capital required for the purpose. First of all, it would be necessary to put up steam-engines in the neighbourhood of the Albert Gate, which would constitute a great nuisance to the residents near that part of the Park; and it would also be necessary to construct large filtering beds in Kensington Gardens. The expense of drawing up 2,000,000 gallons of water daily and of keeping the filtering beds clean in Hyde Park would amount to £1,200 or £1,500 a year, representing something like a capital of £50,000. He had a very high opinion of Mr. Hawksley, who was very cognizant of hydraulic matters; but as to the opinion of the hon. Member for Whitby (Mr. Stephenson), which was referred to yesterday he should have been much better pleased if that hon. Member had come down to the House and given his opinion from his place. It would have been better to have the hon. Member's opinion at first hand instead of at second hand. He had had as much to do with ornamental water as any man in the kingdom, and he had tried a variety of plans, and even, to a certain extent, the plan now adopted by the Government. He by no means said that it would be an effectual plan, but it would occasion great expense and be a great nuisance. It would be far better to do it effectually and at once, though it might cost a somewhat larger sum. He thought that the First Commissioner of Works should have given the House a little more time to consider this question, and ought not to have precipitated the Vote so much.

Sir JOHN SHELLEY said, he still felt that the plan adopted in St. James's Park ought to be pursued in regard to the Serpentine—the bottom should be levelled and pure water pumped in. He thought the report of Mr. Hawksley ought to be submitted to other scientific persons in the kingdom. His right hon. Friend (Mr. FitzRoy) only met one point connected with the matter—namely, the question of cleansing the water; but his right hon. Friend must be aware, from the deputation that waited on him, that there were many other circumstances worthy of consideration. Taking into account the number of persons who bathed in the Serpentine, the condition of the bed of the river was a source of great danger. The holes might be filled up with rubbish, and, if his right hon. Friend did not go so far as to concrete the whole of the bottom, at least he might do something to remedy the mischiefs brought under his consideration by that important deputation. If the bed of the Serpentine were levelled, then the danger of loss of life from bathing would be removed, and the objectionable looking building, the Humane Society House on one of the banks, might be got rid of. It was not for him to say that Mr. Hawksley would turn out to be wrong, but he was glad to find that what he stated yesterday received some support from the hon. Member for Coventry that day. If works of this kind were to be carried out, it was very much better to meet the difficulty boldly than to deal with it in a patch-work and inefficient manner.

Mr. WALTER said, he was very glad that the House had had an opportunity of hearing the opinion of the hon. Member for Coventry (Sir J. Paxton) on this question, for he believed that there was no one so competent to advise the House in respect to it. He regretted that he likewise was absent from the discussion last night, for he should have liked to have had the opportunity of expressing his opinion, formed from considerable observation on this matter. £17,000 might appear a very small sum to spend in dealing with a question like the purification of the Serpentine, but he thought it a very large sum to pay for pouring clean water into a dirty basin. They might go on pumping and filtering for thirty years, but the water would not be clean if pumped into so filthy a receptacle as in its present state the Serpentine was. His conviction was that money spent in this way would be wasted until the Serpentine had been made a proper receptacle for clean water. He did not think that the undertaking involved that detriment to health or those difficulties which some people apprehended, and the only way to proceed was to fill up the inequalities and concrete the bottom. There were millions of firs in the neighbourhood of Bagshot belonging to the Crown, which might be thinned with great advantage, and used with other materials to fill up the holes in the bottom of the Serpentine, exactly in the same way as a road was made. The whole might then be covered over by a bed of concrete. When the bottom of the basin was thus covered then would be the time to pour in clean water. But cleansing the water was only one part of the question. What was also really wanted was, that this large basin might be used by the inhabitants of the metropolis to bathe in and skate on without danger to life, and he thought that this should be effected in a business-like and efficient manner.

Sir MINTO FARQUHAR said, it was quite evident from the statement of the hon. Member for Coventry that there was a great difference of opinion as to the effect of the proposed proceeding. The hon. Member for Berkshire stated that he did not see what could be the use of pumping clean water into the Serpentine; but perhaps the hon. Member was not aware that it was not to be clean water, but the same water was to be pumped back again and again. To show the danger of the Serpentine in its present state he quoted the following paragraph from Mr. Page's Report to the First Commissioner of Works:—

"Having, with the permission of Mr. Hawes, treasurer of the Royal Humane Society, applied to Mr. Williams, the society's superintendent in Hyde Park, for information as to the injurious effects of the depth of mud and of the irregularities in the depth of the water upon the bathers and skaters, I have received from him a communication, in which he states that, within his knowledge, which has extended over the last sixteen years, many lives have been sacrificed in consequence of the irregularities in the depth, especially on the northern side; and that, as thousands of children flock round the margin of the lake during the summer months, although many of them are saved from drowning by the society's boatmen, too many meet with a watery grave; that in consequence of the great quantity of mud in a semifluid state, even athletic and expert swimmers, when seized with cramp (and consequently sinking to the bottom), become entangled in the slimy matter, which so completely fills the mouth, nose, and ears as to render, in many instances, resuscitation impossible; and in those cases where animation is restored the constitution of the rescued person receives a shock from which it never recovers. The following account, furnished to me by Mr. Williams, shows the exact number of casualties from bathing, and the deaths from suicide during the last fifteen years. From this it will be seen that the total number of bathers is estimated at 3,963,689, or on an average 264,206 per annum; and that of the total number of accidents to bathers, 377 in number, 348 were saved, and 29 drowned; and of the total number of suicidal attempts, 273 in number, 185 were saved, and 88 ended fatally."

He looked upon the present as only a half measure; and he believed that it was perfectly impossible for the water of the Serpentine ever to be in a fit state unless the Ranelagh sewer were prevented from flowing into it. He thought it extraordinary that having so beautiful a Park as Hyde Park they should hesitate to vote such a sum of money as would by improving the condition of the Serpentine render it truly worthy of this great metropolis.

Mr. FITZROY said, that this question had already been discussed in the Committee of Supply. He had the choice of two plans. One involved almost an unlimited expense with a doubtful result, and he certainly did not feel that he should be justified in proposing that to the House. He did not feel it right to propose a larger expenditure than that which he had proposed in the Vote for carrying out the plan proposed by Mr. Hawksley. The hon. Member for Coventry had over-estimated the expense of the proposed plan, for he understood that the annual expense for the pumping machinery for 200 days in the year would be no more than £200. No doubt it would be for the comfort of the bather that the bottom of the Serpentine should be levelled; but, as he had before said, he did not feel satisfied in proposing another scheme more expensive and doubtful in the result. He thought the Committee of Supply took a wise course in approving the present plan, which he believed would be successful.

Resolution *agreed to;* as were also the remaining Resolutions.

RESERVE VOLUNTEER FORCE OF SEAMEN BILL.—COMMITTEE.

Order for Committee read.

Lord CLARENCE PAGET, in moving that the House go into Committee on this Bill, said that, as it had been by the courtesy of hon. Gentlemen allowed to be read a second time without discussion, he would take that opportunity of explaining the provisions of the measure. Many hon. Gentlemen might think that at a time when they read in the *Moniteur* that a general disarmament was about to take place in France, both with regard to sea and land forces, it was somewhat inopportune o bring before the House of Commons a measure with the object of strengthening the British navy. In his opinion, however, as a naval man, this was the best opportunity that could be chosen for taking such a course. The object of this Bill was not to immediately increase our fleet, but to provide a militia force for the sea, as we already have on land and a reserve for recruiting our navy. The principle of a militia force was generally adopted in all countries, and it was to him a perfect marvel that a nation which depended so much upon the sea for its security as England scarcely possessed anything in the shape of a naval reserve. It was true that, of late years, the coastguard, which was, as far it went, an efficient reserve force, had been increased, but the number of men belonging to it and disposable as a reserve was less than £4,000. They had, besides, a force called the coast volunteers. Great doubts had been expressed by many persons, and by the Royal Commission which sat last year on the subject of manning the navy, as to the efficiency of that force in the event of an emergency. He was not one of those who entertained such doubts, for he believed that if the services of that force should ever be required, it would be found efficient for the purposes for which it was intended. There was, however, one radical defect connected with that force—namely, that the coast volunteers could not be required to go further than 300 miles from their own coast; and although, therefore, they might be very serviceable for the defence of the coast, they could not be regarded as of any great utility for the general purposes of the navy. The subject of a reserve for the navy had for many years past occupied the attention of eminent men. During the last great maritime war, the odious system of impressment was in full operation; but public opinion was so strougly expressed against that system that it gradually fell into disuse, and during the last three years of the war it was almost entirely ineffective. He had the other night made a somewhat curious statement to the House, which showed that the effect of impressment during the last three years of the war had produced a loss instead of a gain to the navy. There was no doubt that the system of impressment had been abandoned never to be revived; but no substitute had been provided for it, and the successive Boards of Admiralty had applied their attention to the adoption of some means by which, in case of emergency, sufficient reserves might be provided for the navy. Allusion had frequently been made to the admirable French system of the *inscription maritime,* under which a vast number of seamen could at any moment be rendered available for the navy. So long ago as the year 1824 the late Mr. Hume proposed in that House a Resolution to the effect that the House being well aware of the difficulty of manning the navy in a time of war, and of the evils of forcible impressment of seamen for that purpose, and considering that a time of profound peace will best admit the fullest and fairest examination of that most important subject, would early in the next Session take the subject into consideration, with the view to adopt such regulations as may obviate the existing evils consistently with the efficiency of the navy and the best interests of the country. This like many other proposals of that enlightened man was rejected. Since that time various propositions had been made with reference to this subject. The right hon. Member for Carlisle (Sir James Graham) introduced the Seamen's Enlistment and Registration Bill in 1835; and in 1847 the hon. and gallant Member for Southwark (Sir Charles Napier) submitted to the House a Motion for an enlistment of seamen with reference to reserves, which, however, was not adopted. In 1852 the right hon. Baronet the Member for Portsmouth (Sir F. Baring) was so strongly impressed with the necessity of forming a naval reserve that he asked for a Vote for that purpose; but in consequence of a change in the Government that proposal did not receive the sanction of Parliament. In 1852 a Committee was appointed to consider this important question, and it recommended various means of manning the navy, including the adoption of the continuous-service system, the increase of the coastguard, and the enrolment of coast volunteers. In consequence of the recommendations of that Committee the system of continuous service was adopted by Sir James Graham, and although it had since sustained some violent shocks, he believed that if there was no sudden reduction of our naval force it would in time be productive of great advantages. The Royal Commission, on manning the navy, which was appointed last year, in consequence of a Motion of the hon. and gallant Member for Southwark had made numerous suggestions for improving the condition of seamen in the navy, and many of their proposals had been carried out by the late and by the present Governments. The recommendation of the Committee that the force of Royal Marines should be increased had been partially adopted, and he hoped no long time would elapse before their suggestion that a body of seamen should always be kept at the home ports would also be carried into effect and that their proposal of training ships would be tried. The principal recommendation of the Commissioners was, however, that from 20,000 to 30,000 men should be employed as a reserve force, under the title of Royal Naval Volunteers. The Commissioners proposed that these men should receive a retaining fee of £6 per annum, of which £1 should be deducted and set apart for a pension fund. The Commissioners recommended that at the age of fifty or fifty-five, these men should be entitled to a pension of 6*d.* a day, and that they should have the option of either receiving that pension or a smaller amount which should be continued to their widows and families. The Bill now before the House was framed upon that suggestion, although in some matters of detail it was not completely in accordance with the recommendations of the Commissioners. The Bill proposed that a number not exceeding 30,000 men should be invited to enrol themselves for a period of five years; that for that term each man should receive £5 per annum; that they should be called out for training for twenty-eight days in the year, and that during that time they should receive non-continuous service pay according to the rating they might hold. It was also proposed that at the expiration of the five years these men should have the option of retiring from the force, or of re-enrolling themselves for a further period of five years. If the country should remain at peace they would each during their five years' service have received a sum of £25, in addition to the month's pay, per annum during their training, and if they were re-enrolled for another period of five years at the expiration of ten years' service they would have received £50 besides the month's pay each year, and be entitled under certain conditions to pensions. Supposing, however, that this country should unhappily be involved in war, it was proposed that by Royal Proclamation these men, however long they had been enrolled, if still in the force, should be at once called upon to enter for active service in the fleet in any part of the world. There would then be a claim upon their services for three years certain; and if at the end of that period war did not cease, power was given by the Bill to require them to serve for two years more, they receiving 2*d.* a day additional for the last two years, whatever rating they might hold. In the event of war, therefore, the services of these men could be counted upon for a period of five years. There were some details with regard to this subject, especially respecting pensions, which it would be difficult to embody in a legislative measure. The Board of Admiralty had considered very carefully the proposals of the Royal Commission as to the deferred pensions at the age of 50 or 55, and it was thought that under some circumstances it would be a hardship upon seamen if the Government were restricted to the power of granting pensions at those ages. Cases might occur in which seamen had served faithfully during war, and had suffered in health, and, although not eligible for pensions in consequence of wounds, the grant of pensions might be perfectly justifiable. On the other hand, supposing the country to remain at peace, it became a question whether a man who had entered the force at the age of 20 years, and who had served for ten years, should be entitled to claim the same amount of pension as if he had been engaged in active service before an enemy. It was thought, therefore, that it would be a matter of great difficulty to deal with the question of pensions by an Act of Parliament, and it was considered that the better course would be to leave these details to the regulation of the Admiralty, if the House gave its assent to this Bill. He was bound to tell the House that this was only an experiment. They had no experience to guide them on the subject, and therefore he could not tell the House that he felt confidence that the plan would be perfectly successful. He hoped, however, that it would be successful, and he was sure that was the feeling of the House of Commons and of the public. His opinion was that the best mode of attaining a successful result would be not to tie the hands of the Admiralty too much by Acts of Parliament; but he trusted that by communication with the Board of Trade, with the shipping masters, with the Registrar General of Seamen, and other persons connected with the merchant service, they might be enabled to frame regulations which would induce our merchant seamen to flock to the Royal Naval reserve. He believed that men-of-war's men did not thoroughly understand the merchant sailors. There had been a misunderstanding in the navy with regard to the merchant service; and he knew that merchant seamen had said they would be delighted to serve in the navy if they were satisfied they would be treated in the manner to which they thought themselves entitled. He could only say that the Board of Admiralty desired most ardently to effect a good understanding between the merchant service and the Royal Navy, and to establish between the two services feelings of mutual respect and affection. This Bill was the first endeavour to establish such a good understanding, and if the attempt proved successful they would induce a great number of merchant seamen, during their period of twenty-eight days' training, to see ships of war for themselves; they would find that the men were kindly treated, that they received good food and good pay, and the result would probably be that many of them would be induced to join Her Majesty's service. If this result could be attained, instead of endeavouring to retain men against their will in the Royal Navy, the greatest punishment that could be held out *in terrorem* would be dismissal from the service. If the House assented to this Bill he believed such regulations might be framed as would induce merchant seamen to come forward as volunteers under this system, and they would thus form an invaluable reserve for the Royal Navy. In the February number of the *Revue des Deux Mondes* there was a passage in an article attributed to a distinguished naval officer, the Prince de Joinville, to which he might call the attention of the House. The writer said,—

> "On a vu quelquefois le génie d'un homme improviser une armée, jamais une marine."

The statement was true. A navy could not be extemporized. It was necessary to have trained seamen; and the state of naval preparation maintained by the French nation enabled them to afford to disarm at once, because they knew perfectly well that within a week their fleet could be manned. He believed that the declared intention of the Emperor of the French to disarm was faithful and honest; but the French, after disarming by their maritime inscription could arm again in a week with the utmost facility. That, however, was not the case with this country, for we had no system of reserves. He thought that this great maritime country ought to be in a position to disarm; but if they allowed their seamen to leave the naval service, they had nothing to fall back upon. If, however, they had a valuable reserve of seamen, they could afford to imitate the example of other nations; and he hoped that if the House assented to this Bill they would before very long be placed in that position.

Mr. LINDSAY said, the problem the Royal Commission on Manning the Navy were required to solve was, how to obtain a reserve sufficient for the emergencies of war at the smallest cost to the country, and with the least disturbance to its industrial resources during peace. He had the misfortune to differ with his colleagues on the Commission, and he thought they had not solved that problem. He thought his colleagues had failed because they had not fairly grappled with the question, what was the reason that the sailors of the merchant service were so unwilling to enter the Royal Navy. According to the estimate of the Commissioners, the cost of the plan they recommended would be £598,881; but he believed that, large as that amount was, it would not suffice to carry out their recommendations. The cost of a coastguard force of 2,000 men was £116,000 a year, while the estimate for 4,000 men as a reserve for the home force in their report was only £132,000; but he thought it would be nearer the mark if it were calculated at £200,000. In 1852 a Committee of naval officers inquired into the best mode of manning the navy, and they recommended increased pay in one shape or the other, which entailed upon the country an expenditure of £150,000 per annum; yet in 1854, two years afterwards, the hon. and gallant Member for Southwark (Sir C. Napier) found great difficulty in manning the Baltic fleet. It appeared, therefore, that this extra expenditure did not enable the country to obtain what it required. All this and even largely increased expenditure would be disbursed in vain unless reforms were made in discipline and drill in the navy. He found that the Admiralty were now paying about £100,000 a year to seamen for provisions which were not consumed because as they alleged the provisions were inferior; but why was not care taken that provisions of inferior quality were not supplied to the men? He believed that the extra drill enforced in some of Her Majesty's ships, and the provisions of the Articles of War, which imposed the penalty of death for nearly every offence enumerated in them, tended to deter merchant seamen from entering the Royal Navy. It was now proposed to form a reserve of seamen to be available in case of emergency; but at this moment they had in the Royal Navy a staff of effective officers barely sufficient for "peace establishment." He would recommend, therefore, that when they were inviting seamen of the merchant service to join their reserve force they should extend the same invitation to the officers of that service. Some slight distinguishing mark—some badge to show that they were officers of the reserve —which would give them a better position in society, especially abroad, would have a far greater effect than any pecuniary inducement in leading a number of the finest young seamen to be found in this country to enter the navy in that capacity. Independently of the services which these young men would be able to render as officers of the reserve he believed they would be found most valuable as recruiting officers for the navy among the body of seamen with whom they were connected. He would recommend, therefore, that this Bill should not be now pressed, but that the whole subject should be reconsidered by the Admiralty; and that before an attempt was made to form a reserve force of seamen the Articles of War should be altered, excessive and unnecessary drill should be abolished, flogging should either be altogether abandoned, or such a punishment should only be inflicted by sentence of court-martial, and along with the reserve of merchant seamen the officers of the merchant service should also be invited to enter that force.

Sir CHARLES NAPIER had heard the speech of the noble Lord (Lord C. Paget) with great satisfaction, and his confession, tardy though it was, that the officers of the Navy did not understand the sailors of the merchant service. That was quite true, for only those who had well studied the character of merchant seamen could thoroughly understand the difference between them and seamen of the Royal Navy. He believed, however, that, notwithstanding the great difference which existed between these classes of men, they might be amalgamated in the manner suggested by the noble Lord. There could be no doubt, as the hon. Member for Sunderland (Mr. Lindsay) had said, that in some ships of the navy drill was carried to an excess; but he attributed that to the deficiency of officers, for if an Admiral was in command of a great many ships it was impossible that he could scrutinize minutely the discipline of his fleet. The punishment of death was imposed for nearly every offence mentioned in the Articles of War, at the judgment of a court-martial; but he entertained a strong opinion that the infliction of any punishment under these Articles, except by a court-martial, was illegal. Men were almost always punished without being tried by court-martial, and he remembered many years ago that a sailor, when tied up for punishment, said to his captain, "Why, Sir, I have not been tried;" and the captain's answer was, "A d—d rascal! Give him another dozen!" Such things occurred long ago; but the sailors now read the newspapers; they were better educated than they used to be, and they well understand whether they are properly treated or not. In the East India Company's service, where there are no Articles of War, a seaman who committed an offence was tried by the officers of the ship, who adjudged such punishment as they thought was deserved; and he believed that in only one or two cases had legal proceedings been taken against the captains of the Company's vessels, and that in no case had any damages been awarded by a jury. He concurred in the opinion that corporal punishment should not be entirely abolished, and he believed that if the question were put to any assembly of seamen nine out of ten would admit that without the operation of that punishment the discipline of the navy could not be maintained. In order, however, that it might have a greater appearance of legality in the minds of the seamen it should be inflicted only upon the sentence of a court-martial. It was said that the French were reducing their naval forces; but it had been stated by the right hon. Member for Halifax (Sir Charles Wood) only two years ago, that by conscription and inscription the French had the means of calling 90,000 seamen together. This country was suffering from the paying off of the fleet in 1857, and even with the aid of the bounty it could not now complete the fleet to the same extent as in 1857. There was one part of the plan of the noble Lord to which he had a decided objection, and it was that which proposed to give a pension to the men after ten years' enrolment in time of peace; and as the men would serve only twenty-eight days in each year, they would then be entitled to the same pension for ten months' service as the sailors would receive for ten years. That, he thought, would be certain to create dissatisfaction among the sailors.

Lord CLARENCE PAGET explained that he proposed to retain a discretion for the Government in respect of the matter of pensions.

Sir CHARLES NAPIER was very glad to learn that such was the case. With the view of making the service more agreeable to seamen, he recommended that endeavours should be made to assimilate as much as possible the discipline of one ship to another, so that a number of little annoyances which the men suffered from a different usage in one ship from that they had been accustomed to in another should cease. He also suggested that it would give great satisfaction if the men were paid once a week, and that there should be better conveniences in certain respects for the men on board, by which their health and comfort would be promoted. If all these evils were remedied there would be no difficulty in manning the navy. The noble Lord spoke of the coast volunteers; but would the House believe that this great maritime country had no registration of the seafaring men existing in England? The 'longshore men in England and Ireland amounted probably to 200,000. There was no registry of them, but they might be registered and called on to serve as well as the volunteers. The sea-fencibles, established during the late war, furnished a large number of seamen, and these were points he recommended to the consideration of the Admiralty. Another question he wished to advert to was the system of "leave." He disapproved keeping the men too much on board ship. They would not learn their drill so quickly if they went on shore, but men were men and they wished to go ashore as well as the officers. He would suggest that the pay of the petty officers should be increased, and if more situations were opened for them this would be something for the seamen to look forward to. It looked as though the Admiralty was at length about to turn over a new leaf in the management of the navy, and he was glad to hear the candid statement which the noble Lord had made.

Sir FRANCIS BARING: Before I make any observation on the very important subject under debate, I cannot but express my great regret that the gallant Admiral should have stated that the punishments in the navy are illegal. [Sir Charles Napier: Illegal in the eyes of the men.] I am glad to hear the gallant Admiral's explanation; from what he said I understood that he concurred in that opinion. I fear others may make the same mistake; and though the gallant Admiral's legal opinion may not have the same value as his naval, yet such a statement, backed by so high an authority, is likely to exercise serious influence on the minds of the sailors. There are also circumstances to which I need not further allude, which would specially counsel prudence at the present moment. I agree with the gallant Admiral and the speakers who have gone before me, that many points in the naval service are capable of improvement; if I do not follow the various suggestions thrown out, it is not because I underrate them. The condition of the seaman has been greatly improved by successive Boards of Admiralty since the peace, but that does not preclude the consideration of further improvement. I feel satisfied that the House will not refuse to vote any sum for the improvement of the condition of our gallant defenders, that the Government may, on proper consideration, feel it right to ask. But improve that condition as you will, the great difficulty will still remain—the manning the navy on the breaking out of a war. You then have to go into a limited market for a large and sudden supply. The number of sailors in peace will be regulated by the wants of the navy and the merchant service. If you suddenly call for a large addition to your naval force, let the navy be as popular as you can make it, you will still find the greatest difficulty in supplying the men. The old remedy was impressment. I am glad to find impressment has of late become less popular among naval officers than it was when it was my duty to consider this question. When I conversed with old officers on the subject I generally found that in their hearts there was a lurking feeling that in a war recourse must be had to impressment. To impressment I entertain strong objection. It is not merely the difficulty which the Commissioners state so strongly in their Reports, I mean the difficulty of enforcing impressment in the present state of public feeling; the system itself has always appeared to me to be remarkably ill-contrived to obtain a constant supply of men for the navy. In an emergency it might answer for the moment. There may be extraordinary cases in which the laws of political economy, as of justice, must be overrode by the necessity of self-preservation. At such a moment it might answer to lay hands on all sailors, as in a besieged town it may be expedient to seize on all provisions or other such articles. But to ensure a permanent supply, impressment is a contrivance rather to drive away than to procure the men you want. The supply of sailors must, after all, be considered in relation to the rules that regulate the supply of other articles. Now, what sane man would adopt such a system if he wished to obtain a steady supply of corn, of horses, of cattle, or any other article. To take it against the will of the owner—to pay for it what you please—to keep it as long as you like—to carry it where it suits you. This would not procure what you want, it would drive it away, as impressment drove your sailors into the American service during the last war. If then impressment must be abandoned, it is the part of prudent men to adopt measures in time of peace to secure a naval reserve. A naval reserve, Sir, is a measure eminently defensive and peaceful. I am not prepared to adopt, in its extended sense, the adage so commonly quoted now, that being prepared for war is a security for peace. But a naval reserve gives a power of defence without exciting rivalry or irritation. In many cases it would have the most beneficial effect. For instance, when subjects of difference exist which may lead to war. In such circumstances those who are at the head of the Admiralty have a most painful risk to run. On the one hand they feel the expediency of raising men to be prepared for the future; on the other, they feel that these very preparations increase the irritation, and may produce the very evil of war which they are anxious to avoid. Between these counterbalancing dangers the choice is full of anxiety. But with an efficient naval reserve the Government may avoid all unnecessary demonstration, confident that if the necessity arises the men would not be wanting to man the ships that would be required. My gallant Friend, the Secretary of the Admiralty, has mentioned that in the year 1852 I brought forward a proposal for the purpose of creating a naval reserve. It is quite true that in that year I laid upon the table an estimate, accompanied by papers, explaining the scheme. It was in principle similar to the plan now before the House, but of a much less extensive character. Our policy was to go step by step, and to see how far our first attempt succeeded before we went further. The plan was in accordance with the proposal of an excellent officer, Captain Brown. It was to give a retaining fee to 5,000 men, who had already served in the navy, and who should be bound to serve again when called upon. My proposal, Sir, was not fated to succeed. I was removed from office, and my successor the Duke of Northumberland referred the whole subject of manning the navy to a Commission of naval officers, and my plan was sent to them. I may add, to show the insecurity which attends these subjects, that the Commission, composed of officers of high character and standing, reported my plan to be impracticable and set it aside. They recommended the coast volunteers. The late Commission, on the other hand, report that the coast volunteers can not be relied upon as an effective naval reserve, and recommend a reserve formed upon the principle of the plan rejected by their predecessors. Upon the best consideration I have been able to give the subject, I believe that a proposal, such as the one now before the House, is the best adapted to meet the difficulty. No doubt it is an experiment, first, in respect to the number of men that might be procured; and, secondly, whether they would join when called upon. This can only be decided by the experiment being actually tried. Still, looking to the evidence before the Commission, I feel considerable confidence that the experiment would be successful. I am glad it is not incumbered with the system of naval schools recommended by the Commissioners, for I have much doubt how far such a system would answer, and I would suggest to the Admiralty that if on consideration they should be decided to adopt the recommendation, the plan should be at first tried on a small scale. In carrying out this new proposal of a reserve, much must be left to the discretion of the Admiralty, and I trust the House will not bind down the authorities too strictly, but leave them ample room to meet the difficulties which must present themselves in launching a new system. I will now say a few words upon two points recommended in the Report of the Commission. They have proposed to increase the number of the coastguard and of the marines, and they have suggested that the marines should be employed instead of military to garrison the naval ports. I have a very good opinion of the coastguard; even when I was at the Admiralty it was a naval reserve of great value, and since that time, it has been much improved by being placed under the Admiralty, and by being well organized. If a greater force of coastguard is required for revenue purposes, I should not for a moment grudge it. But if not really wanted for the revenue, I doubt the wisdom of increasing the coastguard; keep for the revenue what it requires, liable to be called out in time of need. If additional men are wanted for the defence of the country, either add to your reserve, or to the permanent naval force. So with regard to the marines; no corps is more valuable; but if more marines are required, let them be dedicated to naval and not to military purposes. They will be wanted and be most valuable at the breaking out of a war. If they are employed permanently to garrison your naval ports, you throw an obstacle to their going afloat when they are most required. And now, Sir, you must permit, me to call the attention of the House to a subject connected with our system of manning the navy, on which I am desirous of making some observations, I mean the system of continuous service. This system, Gentlemen know, was recommended by the Commission appointed in 1852. I had the misfortune when the arrangements were made for carrying it into effect, to entertain much doubt of the result. I placed my doubts before my right hon. Friend the Member for Carlisle, then First Lord of the Admiralty; but diffident of my own judgment when opposed to the report of naval officers of high character and experience, and anxious not to throw difficulties in the carrying out of a plan recommended by them as so beneficial to the navy, I did not press my objections in Parliament. Connected with a naval port I have since heard reports which lead me to fear that the system is not working satisfactorily. When the Commission was appointed I was in hopes to find in their Report a full investigation into the results of the continuous-service system and evidence that would satisfy me that my doubts and fears were unfounded. I have been disappointed in both these expectations. The Commissioners, it is true, express a favourable opinion of the system, but I miss a full and searching inquiry. On the other hand, the opinions and facts which turn up in the evidence confirm the impressions I entertained. It may sound an odd question, but it is one which lies at the root of the inquiry. Do you want your navy for peace or for war? If for peace, I admit the continuous-service system may have some advantages; but it is for war you want your navy, and to obtain trained men at the breaking out of a war is your great difficulty. But even in peace I cannot find that the system has fulfilled the expectations held out. The Commissioners indeed say, that with the excellent system of continuous service there will be no difficulty in manning the navy in time of peace. There never has been any such difficulty without that system. The difficulty was to keep within the number of men voted, not to obtain them. For years before 1848 the number of men borne exceeded the Vote, and when I succeeded to office I found it required a firm hand to keep the number within the proper limits. It is true that there were difficulties at particular moments, and in manning ships when first commissioned, and delay and expense were incurred. This evil the continuous-service system was to cure. I have no means of obtaining official information. I have none other than what is derived from the ordinary channels, and I may be in error. But I read and hear of the *Marlborough* and other ships waiting for a crew, and there would seem to be as many complaints as formerly. But I have an official fact of great weight in accordance with my view. I allude to the late bounty—since the war such a step was never taken. I am not here now to question the judgment of the Admiralty, but it does not speak well for the efficacy of the system when under it recourse is had to this unusual and extreme measure. I must appeal also to the Report of the Commissioners themselves. They recommend that a certain number of men should be kept in the home ports for the purpose of manning ships when first commissioned, and avoiding delay and expense. It is quite clear, then, that the evil exists still—if the continuous service had cured it, as was expected, the Commissioners would never have made this recommendation. There were other advantages expected to follow from the adoption of the continuous service; among the most important were, that the Queen's service would become more popular and that better men would enter. I wish to inquire, with such information as the Report affords me, how far these expectations have been fulfilled. A great many witnesses were examined before the Commission, and I readily admit that the officers of a higher rank, with two exceptions, were in favour of the system. The first of these exceptions is the gallant Admiral opposite, the Member for Southwark. He grounded his objection on a reason of great weight. He was anxious to bring the Royal and Mercantile Navy into more friendly and closer contact, and he thought that the continuous service tended in the opposite direction and made the division wider. The other exception was Captain Sullivan, an officer of much merit, and whose opinion deserves the more consideration because he was connected with the Marine Department of the Board of Trade, and had more general information than could be obtained on the quarter-deck. Captain Sullivan evidently did not entertain so favourable an opinion of the system as his brother officers. But, Sir, if you wish to get at the feeling of the sailor, there are others to be consulted besides admirals and captains, however distinguished and well informed they may be. Now, before the Commission several warrant officers were called. Mr. Howell, one of them, was the spokesman; he was examined at considerable length and answered with great intelligence. In the course of that examination his opinion of the continuous system was given; it was unfavourable, both as unpopular, and as not obtaining the best men. From this opinion none of the others recorded their dissent. They were not individually examined at length, but expressed generally their agreement with Mr. Howell. But there is some means of testing Mr. Howell's opinion. There is a return attached to the Report of the Commission, showing the number of continuous-service men among the able and ordinary seamen. I find that the number of these men among the able seamen is smaller in proportion than among the ordinary seamen; showing both that the system is less popular among the able than the ordinary seamen, and that it secures a larger proportion of the latter than the former. But this is not all. Sir R. Bromley in his evidence speaks of the large number of desertions, especially, he says, among the continuous-service men. This remarkable observation is not followed up in the Report, not a single question is asked on it by the Commissioners. Left as it is without explanation, it hardly leads us to infer that the system is either popular or obtains the best men, when those who enter under it are especially given to desert. But let me allow, for the sake of argument, that the system has advantages in time of peace. Your difficulty and your aim is to man your navy in time of war; for this object it would be good policy to sacrifice any peace advantages which might interfere with obtaining men when you really want them. Let us, then, consider the old system and the continuous-service scheme in their effects on the breaking out of a war. Under the old system a sailor entered the navy practically for his three or four years. At the expiration of the time the ship was paid off—he was free—he might re-enter the navy if he chose, or he might take a spell in the merchant service. The result was that there was always in the merchant service a floating number of men who had served in the Queen's service, and would at once be fit for a man-of-wars-man. The principle of the continuous service is to retain the same men, and the effect must be that the number of men in the merchant service who had served on board Her Majesty's ships would diminish. To show the effect more clearly, I will put an extreme case, of course an impossible supposition. Supposing the old system to be carried to an extreme and you never re-entered a sailor who had once served his three years in a Queen's ship, the ultimate result would be that every sailor in the merchant service would have served in a man-of-war, be trained to the guns, and in case of an emergency be fit for service. Now, act upon the continuous principle to the same extreme—educate your sailor when a boy, keep him in the service when a man, retain him until he is no longer fit for work—you will probably make admirable sailors by your system, but when war breaks out and you require an additional number you will not find in the mercantile marine a man who has served or been trained on board the Queen's ships. This point appears to me of great importance. In case of emergency recourse must be had to the merchant service for manning the navy. But it is not sufficient to get mere sailors. Trained seamen are required; and adverting to the improvement in gunnery, the importance of this is greater than it was formerly, and is daily increasing. Naval officers and gentlemen often talk of the French system, and praise it. It is a compulsory system, and so far not adapted to English feelings. But we, perhaps, may take a lesson from it; in France every seafaring man is liable to serve in the navy seven years. But do the French keep them continuously for the whole seven years, according to our new system? When I was at the Admiralty it was quite the contrary—a man was taken, he served for three years, he was then discharged, and a fresh one taken who was kept in the same way for three years only. I have heard that this practice was complained of as inconvenient, but the result was that when the French Government called out their men there was always among them a considerable number who had served and been trained in a man-of-war. As France did with her navy, Prussia, I believe, does with her army. Every man is liable to serve; he is trained for three years, he is then discharged and a fresh man called out. No doubt such a practice is open to objection. You may be told that it disorganizes the regiments—that you discharge the soldier just as he is at his best—that you have thrown away all the expense of training him: all the arguments so familiar to us as employed in the naval system may be used. There is some truth in many of them. The army itself, in time of peace, may be less perfect, but what is the result? When war breaks out, Prussia has not a mere army, she has a nation of soldiers. I wish I could see some such system in the navy of England—some system by which the Royal and mercantile services should be so interlaced that in case of emergency men might be found in the one capable and trained to perform the duties of the other. I am not here to advise or wish that we should adopt the foreign practices which are inconsistent with our habits and institutions; but at any rate we should not follow a course which is contrary to sound policy, and make the distinction wider between the two services. I fear we are doing so by the continuous-service system. I am aware that I differ from a large number of the higher officers of the navy, but entertaining these opinions, I have felt it my duty to state them to the House for their consideration and judgment.

SIR JAMES ELPHINSTONE said, he was glad to see that a measure had been at last introduced for this purpose, and if it was not in its present shape all that could be desired it could easily be made so. The plan was only an experiment; but if it did not succeed they would come to the matter again with the advantage of greater experience. He did not think that the continuous-service system had had a fair trial. No man should be admitted as a continuous-service man who was not an able seaman; whereas they had admitted good men and bad alike. With regard to impressment he thought that the greatest benefit the Commission on Manning the Navy had conferred on the country was in putting an end to that system, which hung as a terror over the minds of seamen. No Government could ever revive that system after the Report of the Commission. India had been brought under the government of this country, and why was it then that no less than 500 men of the naval brigade of Calcutta had been discharged some time ago, and in two or three months after offered a bounty of £5 a man to induce them to reassemble, which object it was impossible to accomplish? He believed that if the Government carried out the recommendations of the Commission most of the grievances of which seamen at present complained would be removed. He would urge on the Government to do away with the hulking system, which led to desertions while the ships were fitting out. He thought that the casks of salt beef ought to be branded so that the date of curing could always be ascertained. Under the old system it was impossible to calculate the degree of senility at which a piece of beef had arrived. The men refused to eat the beef in a particular cask; that cask was handed from ship to ship and descended from father to son, until all trace of the birth and parentage of the beef was entirely lost. Now any one who had ever read even an elementary work on chemistry knew that such stuff was not fit for use; yet so long as it did not get a bad smell it found its way from ship to ship till at length some officer chanced to condemn it. He disapproved of teaching men to drink grog in the navy, and he was also averse to the system of inflicting corporal punishment without a court of inquiry, such as was held in the navy of the East India Company. He served in the East India Company fleet from 1819 to 1835, and there discipline had been effectually preserved by pursuing a system which was at once firm and just.

MR. CARDWELL said, he would admit that the system of continuous service had not yet had a complete trial. That system was intended to accomplish an important purpose,—namely, that when men had been trained in the higher branches of gunnery, they should be retained in Her Majesty's service, instead of being allowed to enter the service of, perhaps, some hostile country. It was stated before the Committee of the House of Lords which inquired into the subject of the Navigation Laws, that there were 60,000 British seamen in the service of the United States, and he thought, therefore, that after men had been trained in the British Navy, it was evident that it was of great importance to retain them in the service. That was, in fact, the great object of the continuous-service system. That system was recommended by men of the highest authority in 1852, but it was not adopted until 1853; and it appeared from the evidence before the Manning Commission that the experiment had been as successful as it could be expected to be within so limited a period. He might observe that very beneficial results had accrued from the training of boys for the naval service with the view to their becoming continuous-service men. His right hon. Friend (Sir Francis Baring) had said that the continuous-service system was unpopular. He believed, however, that there were now 20,000 men, and from 6,000 to 7,000 boys serving in the navy under that system, and he thought that was a sufficient proof of its popularity. It appeared, also, from the statement of the Board of Trade, that the economical result of training boys for the navy from an early period of life would be that the whole expense of the school ships would be saved by the difference between entering boys of fourteen years of age, and men of thirty for continuous service. He thought it most desirable that the boys of the merchant service who would form the naval reserve, and the boys intended for Her Majesty's service, should be trained together, for from early acquaintance that good fellowship and cordial feeling would be created which it was so desirable to promote between the two services. With regard to the coastguard, although the force was small, it must be remembered that it consisted of men who were attached to the navy, that they were spread over the coast of the kingdom, that they were intimately acquainted with all seafaring men, that they acted as recruiting sergeants both for the navy and the reserve force, and that they formed the connecting and sustaining links of a system which would not only furnish a reserve for a moment of emergency, but would supply the casualties and exigencies of active service. The hon. Member for Sunderland (Mr. Lindsay) was mistaken in supposing that the estimate of £182,000 for a reserve of 4,000 men was below the mark, for although the cost of that force might be £232,000, the estimate was made by a witness from the Admiralty who stated that at least £100,000 would be saved to the country from the facility which would be afforded for at once manning a ship placed in commission, without keeping a costly staff of officers unemployed for six months. The reserve would not be limited to the number of men proposed by this Bill. They would begin by training boys, who would be encouraged by the pay and advantages of the service, and the prospect of pensions; the system of impressment was abolished; and he believed that, if full effect were given to the recommendations of the Commission, instead of a feeling of distrust between the two services, there would be a desire entertained by every seafaring man to be more or less associated with the naval service of the country. He believed that so far from being required to pay men for artillery exercise upon the coast, they would find great competition for admission to ships and forts in which artillery practice was taught. It was his conviction that before long the whole nautical population of the kingdom would take great interest in the practice of gunnery, that a spirit of attachment to the naval service would be excited among them, and that in case of emergency they would furnish a defensive force such as was possessed by no country in the world.

House in Committee.

Clause 1 and 2 *agreed to.*

Clause 3,

MR. HENLEY said, he thought it would be impossible for human ingenuity to frame a Bill which would more effectually defeat the recommendations of the Commission. The Bill was full of uncertainty as regarded the times at which the men were to be called out, the period for which they were to serve. and the pension which they were to receive. Of all classes of men the seamen was the most anxious for certainty in agreements.

It being now ten minutes to Four o'clock, the Chairman left the chair.

House resumed.

Committee report progress.

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

House in Committee of Ways and Means.

Resolved,

"That, towards raising the Supply granted to Her Majesty, in lieu of the Stamp Duties contained in the Schedule to the Act passed in the fifty-fifth year of the reign of King George the Third, chapter one hundred and eighty-four, and now payable upon Probates of Wills and Letters of Administration in England and Ireland, and upon Inventories to be exhibited and recorded in any Commissary Court in Scotland, where the estate and effects for in respect of which such Probate or Letters of Administration shall be granted, or whereof such Inventory shall be exhibited or recorded, shall be of the value of one million pounds or upwards, there shall be charged and paid the following Duties respectively (that is to say):

For every £100,000 of the whole value of such estate and effects, and any fractional part of £100,000,—

Where the deceased shall have left any will or testament, or testamentary disposition, of his personal or movable estate and effects, the Stamp Duty of £1,500;

And where the deceased shall not have left any such will or testament, or testamentary disposition, the Stamp Duty of £2,250.

House *resumed.*

Resolution to be reported *To-morrow.*

SCHOLARSHIPS AT TRINITY COLLEGE, DUBLIN.—QUESTION.

Mr. MAGUIRE said, he rose to ask Mr. Solicitor General for Ireland if he is aware out of what Funds the Board of Trinity College, Dublin, founded two Scholarships for the present year 1859; and, if out of the College or University Funds, is he of opinion that the Board had the legal right to exclude Roman Catholics from competing; and whether, in fact, it has come to his knowledge that a Roman Catholic Student of Trinity College, who had been previously distinguished by the highest honours, was actually excluded from competing, although he presented himself for examination, and although it had been known to the authorities for a considerable time before that he was preparing himself by study for the examination, and that his exclusion was stated to be solely on the ground of his being a Roman Catholic.

Mr. Serjeant DEASY said, he had himself no knowledge of the circumstances to which the question of the hon. Member referred; but he had been furnished by the Senior Fellow of Trinity, with a statement of the case. It appeared that, in 1858, the Board of Trinity College determined to found fourteen new scholarships, with an income of £100 a year, and tenable for seven years, and those scholarships were open to persons of all religious denominations. This measure received Her Majesty's sanction by Royal Letters Patent on the 1st of December last. He should also state that the salaries attached to these scholarships were paid out of fees. At the same time an arrangement was made for the suppression of one non-tutor fellowship; and that arrangement was also sanctioned by the Queen's Letters Patent. But as several gentlemen had been engaged some time in preparing themselves for the examination for the fellowship so suppressed, the Board thought it only just to them to give compensation in lieu of the fellowship for which they had been deprived of the opportunity of competing. Accordingly they founded, out of the funds of the College, two exhibitions, of £100 each, for seven years, to be competed for by those who would otherwise have been candidates for the suppressed fellowship. The Board conceived that as the fellowship so suppressed was not open to, and could not be held by a Roman Catholic, the same rule and principle ought to be applied to the exhibitions substituted for it. However, the gentleman to whom the question referred, and who was highly distinguished during his academical career, was of a different opinion; and had consequently prepared himself for the competitive examination for the two exhibitions. The Board were not apprised of his intention to do so until a few days before his examination, when they communicated to him the view they took of the right to those exhibitions; and acting upon that view they had certainly excluded him from the examination; but they did so from what they conceived to be their right and in the discharge of their duty. His hon. Friend must excuse him (Mr. Serjeant Deasy) from giving any answer to his other question, and stating an opinion whether the Board had a legal right to take the course they had done. He was not in a position to pronounce such an opinion. That question could only be determined by an appeal from the decision of the Board to the Visitors. That appeal was quite open to the gentleman referred to by his hon. Friend, and he was sure that the Visitors would do what was just in the matter.

ELECTION COMPROMISES—BODMIN ELECTION.

RESOLUTION. DEBATE RESUMED.

Order read, for resuming adjourned Debate on Question [4th August]—

> "That, in the opinion of this House, any Minister would be guilty of a breach of the privileges of this House, who should advise the Crown to confer the Office of Steward of the Chiltern Hundreds, or of the Manor of East Hendred, or of the Manor of Northstead, or of the Manor of Hempholme, or of Escheator of Munster, upon any person charged with corrupt practices at an Election, and who for the purpose of evading the jurisdiction of this House, has entered into an agreement to vacate his Séat, upon the withdrawal of the Petition charging him with such corrupt practices."

Question again proposed.

Debate *resumed.*

Order for attendance of Dr. Michell in his place this day read.

Dr. MICHELL, attending in his place, rose for the purpose of addressing the House.

Sir GEORGE GREY: Before the hon. Member for Bodmin addresses the House, I would suggest that as it is a rule of the House that hon. Members can have no knowledge of what passes here merely from the public journals, and as the hon. Member has been ordered to attend in his place this day, it is necessary that he should hear the charge which was made by the hon. and learned Member for Sheffield upon his own responsibility. I would suggest, now, that the hon. Member is immediately before the House, attending in his place, that the hon. and learned Member for Sheffield should repeat the statement which he made yesterday.

Mr. ROEBUCK: I am quite prepared to repeat the statement which I made yesterday, and which was this:—I made the statement that a Petition had been presented on the part of certain persons against the election of the hon. Member for Bodmin, and that that Petition charged him with corrupt practices. I stated also, Sir, that that Petition had been withdrawn on the consideration that the hon. Member would upon the ending of the Session apply for the Chiltern Hundreds, and retire from this House. That was the statement that I made last evening, and which I now repeat.

Dr. MICHELL said: Sir, I hold in my hand an Order from this House to attend here at six o'clock this evening, and in compliance with that Order I am here. In the first place, I have to apologise to the hon. and learned Member for Sheffield for not attending to the request contained in the letter which he wrote me yesterday. That letter says—

> "Sir—I shall attend at six o'clock this evening to bring to the notice of the House a report, which has reached me, to the effect that you have entered into an engagement to retire from this House at the end of the Session upon consideration that the Petition against your return shall be withdrawn. I should not like to make any statements, you being absent. I hope, therefore, that it may be possible for you to be present.
>
> "I am your obedient servant,
>
> "J. A. Roebuck."

Now, I was in the library when the hon. and learned Member made his statement to the House. I put a letter into the post-office at ten minutes to seven, when the post-office shuts up. I knew not anything of the proceedings in the House. When I returned to the library I found these papers on the table, and I should have come to the House immediately if the hon. and learned Gentleman had not said in his note that he should make his statement at six o'clock. Now, Sir, if the hon. and learned Member for Sheffield had come to me and asked me for an explanation of the whole thing, he need not have troubled the House nor have brought me into this difficulty, because I am certain that my explanations would have been quite sufficient to satisfy him or any other reasonable individual that I was acting perfectly right, with justice to myself and with justice to others. Now a certain pressure has been put upon my friends at Bodmin. There are numerous instances in which persons have been proceeded against for libel without any cause whatever, and these proceedings, if carried on, might lead to the utter ruin of those parties. And not only that, I am a person who has not the means to carry on resistance to a Petition before a Committee of this House. If there is any fault it is in the rules of this House, wherein it is so costly that no man of small means is ever able to sit in this House, provided any person chooses to bring a Petition against him whether rightly or wrongly. Now my means are sufficient to maintain me as a gentleman, but if I have got to spend two or three or four or five thousand pounds to defend my seat by bringing witnesses nearly three hundred miles from their homes, I cannot do it. It is a very expensive thing to take people so far from their homes. If I did as I have been advised by some of my friends to do—resist the Petition by saying that there is not the least charge against me through them (and I know there is not through myself), I should place myself in inextricable difficulties, perhaps, during the rest of my life. If, however, instead of having hundreds a year I had thousands, I would oppose the Petition, and if this House will bear me out in the expense I will proceed with it; but I am not going to ruin all my friends, and those who are dependent upon me. I appreciate the honour of a seat in this House, but not to the ruin of myself, and those with whom I am connected, and it was upon that account, and upon that ground alone, that I acted. First of all I thought they were in joke, because all Petitions are alike; they charge you with bribery, and with everything they can charge you with, like the old lawyers charging everything to be sure of catching something. Now, these Petitions are all so general in their wording that I really thought there was nothing at all in it, till I found that they were persevering with this Petition, and that they were going to persevere with it—this one in particular. I thought nothing at all about it; I thought the Petition would have been withdrawn, but I found it was not to be. In consequence I told Mr. Wyld that I did not intend, and never had intended (and this House must have seen that I never did intend), to defend my seat, for I have never been in any division in this House since that Petition was presented. I did not intend to have anything more to do with it. I fully intended to resign my seat at some future time, if I saw that they were determined to follow up the Petition. Now, I most firmly assert that there was no sort of compromise—corrupt compromise—the only compromise was this (and there was this compromise), that my object was that the petitioners, whoever they were, should come forward and withdraw the Petition, and by withdrawing the Petition withdraw all the charges against me. Now, if I had gone into the case I must have allowed all those charges to remain against me, and must have submitted at all future time to be told that I had not defended my seat because I was afraid to do so. I said I thought the better plan, not knowing that I was offending against the rules of the House, the better plan would be that the petitioners should exonerate me, should withdraw their Petition, and by withdrawing their Petition they would have exonerated me from all charges, and my friends from all charges which were made in that Petition. Under that idea, I said I did not wish any longer to sit in the House, and I should be at any time ready, with the sanction of the House, to do anything that was right and proper. Now, these are all the principles upon which I have acted, and under such circumstances I leave my case in the hands of the House, and I have no doubt that they will feel as I feel that it would not be right for any man to go into a ruinous expense to himself and those about him, although he liked a seat in this House ever so much, in order to retain his seat. I have seen many men, whose names I could mention, who have rued the day when they defended their seats in this House. I do not intend to do it, but if there are any persons who will back me out, whoever they may be, and pay the expense, I will defend my seat.

And then he withdrew.

Question put—

"That, in the opinion of this House, any Minister would be guilty of a breach of the privileges of this House, who should advise the Crown to confer the Office of Steward of the Chiltern Hundreds, or of the Manor of East Hendred, or of the Manor of Northstead, or of the Manor of Hempholme, or of Escheator of Munster, upon any person charged with corrupt practices at an Election, and who for the purpose of evading the jurisdiction of this House, has entered into an agreement to vacate his Seat, upon the withdrawal of the Petition charging him with such corrupt practices."

Mr. ROEBUCK called for a division.

Mr. SPEAKER: Tellers for the Ayes, Mr. Roebuck, and any other Gentleman who will undertake the office.

Mr. DARBY GRIFFITH: I will, Sir.

Question put.

The House *divided:*—Ayes 30; Noes 214: Majority 184.

WAYS AND MEANS.—REPORT.

Resolutions *reported.*

MR. BLACK rose to vindicate Scotland from the charges which had been brought against her the other night as constantly attempting to get hold of the public purse. There were some Gentlemen in the House who, whenever a Vote was brought forward for a national benefit, if the locality happened to be in Scotland, denounced it as a Scotch job. That phrase was applied last night to a Vote of £12,000, which was asked for to repair an accident that had befallen a part of the national property—the Crinan Canal—which was a highway through the Highlands, and on that account was objected to, though these same Gentlemen did not hesitate to vote £300,000 for a highway across the Thames in the shape of a bridge in the neighbourhood of this House. These charges were so frequent, and made with so much confidence, that he had taken some trouble to go over the Estimates to find how much of the public money was appropriated to England, Ireland, and Scotland respectively. He found this was more difficult than he had anticipated, from the way in which the Estimates were prepared; but there was one estimate in which the sums were voted separately for each country. For the administration of justice there was voted for England £803,926; for Scotland, £129,188; and for Ireland, £856,283. He thought this was both law and justice enough for Ireland. On the Vote for Education, too, he found the account stood thus:—For England, £384,935; for Scotland, £83,920; and for Ireland, £249,468. With respect to this last Vote he must state that Scotland never asked for it. His hon. Colleague the Lord Advocate had some years ago brought in a Bill to enable Scotland to provide for its own education out of local rates, and if that Bill had passed, as it did pass this House, the funds of the nation would have been saved this £83,000. There was not a town in the kingdom where education was more ample or more cheap than in Edinburgh, and it was only when this House began with a lavish hand to scatter the money of the country, and, in point of fact, called upon all to come and take it, that parties in Edinburgh pushed in their claim along with the rest, and he believed that the money so squandered did more harm than good. He had a word, however, to say upon another subject. He wished to direct the attention of the Government to the injury sustained by the Industrial Museum of Scotland through a misunderstanding between the Board of Education and the Board of Works. The erection of the museum in question had been decided on about five years ago, and an estimate of £40,000 had been fixed upon for that purpose. At the same time a site had been obtained, but it was not until three years ago that a sum of £10,000 was first set down in the Votes of the House with the view of carrying the object into execution; and then some economical Gentlemen came forward to oppose the Vote on the ground that money was scarce in the hands of the Chancellor of the Exchequer, and the Vote was in consequence struck out of the Estimates. The first, which ought to have been the second grant for the museum, was agreed to last year, but the £10,000 which ought to have been voted the year before was withheld. A dispute regarding the plans, however, has sprung up between the Board of Education and the Board of Works, which effectually stopped the progress of the buildings, and the money which ought to have been expended on them was still retained in the Exchequer. This year he expected the Vote would have been again inserted in the Estimates, but he had looked for it in vain. There could be no doubt that the museum would be of great use; it was to include the practical arts, as well as science, and he had no doubt that many hard-headed Scotchmen would issue forth from studying at that museum, who would benefit not Scotland only, but England and Ireland. Some valuable specimens have already been secured for the museum. The extensive collection of that eminent naturalist Professor Edward Forbes have been obtained, and the geological museum of Hugh Miller; but they were all put away in boxes, and were of no benefit whatever till a house was got for their arrangement. But for the dispute between the two Boards to which he had referred they would have had three grants of £10,000 each by this time, the house would have been roofed in, and the people of Scotland might have derived all the education that was possible from the exhibition of these valuable collections in a building where they would be open to public inspection. He therefore begged to move that the Treasury would interfere between these two Boards, and take such steps as that the works may proceed without further delay.

MR. DUNLOP seconded the Motion.

Motion made, and Question proposed,—"That the said Resolutions be now read a second time."

Amendment proposed,—

"To leave out from the word 'That' to the end of the Question, in order to add the words 'the Treasury be requested to interfere between the Board of Education and the Office of Works, in order that a proper building may be at length erected for the Industrial Museum of Scotland, on the site which was procured about five years ago,'" instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. FITZROY said, he would not attempt to follow the hon. Member in the observations he had made touching the proportion of the public expenditure allotted to Scotland, and would confine himself entirely to the substantive matter he had brought before the House. He would assure the hon. Member that no dispute now existed between the Board of Education and the Board of Works. A sum of £10,000 was voted for the Museum the year before last on account of the £40,000, and the delay which had taken place in commencing the works was owing partly to the separation of the plans, and partly to the necessity for procuring additional land. He was happy now to inform the House that the Board of Works and the Council of Education had agreed to have joint plans immediately prepared, and that as soon as they were completed orders would be given to commence the works. He had every reason to believe that they would be commenced within a very short time.

MR. BLACK said, that after the satisfactory answer of the right hon. Gentleman he would withdraw his Motion.

Motion, by leave, *withdrawn*.

Question again proposed, "That the said Resolutions be now read a second time."

BURDENS ON MERCHANT SHIPPING.
OBSERVATIONS.

MR. LINDSAY rose to call the attention of the House to the present state of the shipping interest and said, that in so doing he did not intend to occupy the attention of the House at any length, for the Motion, of which he had given notice some time ago, was of too much importance to be discussed at this advanced period of the Session. But the House would perhaps allow him to say a few words in explanation. In March last a Committee was appointed to inquire into the burdens and restrictions on merchant shipping. The Committee consisted of several of the leading Members of the House and the right hon. Gentleman who was now Home Secretary, consented to act as chairman. But the dissolution took place just as they were about to commence their labours, and the Committee, of course, fell to the ground. After the dissolution came the great party struggle, followed by the change of Ministry, so that he had never had an opportunity of renewing the question. He would, therefore, now postpone the question till next Session, when, at an early period, he would move for a Committee. But there were some burdens on the merchant shipping which did not need further inquiry. Three Committees had sat at various times on the question of the light dues—in 1822, in 1833, and in 1845. In the Committee of 1845 a Resolution was moved by the noble Lord now at the head of the Government, and was carried, which recommended that the shipowners should be relieved from the payment of all light dues. The Committee, in fact, acknowledged that it was the proper duty of the nation to light the shores. The Report of the Committee had, however, never been acted upon; but, on the contrary, the shipping interest had been called on to pay £1,250,000 for private lighthouses, saddled on them by the unjust grants of former Governments and former Sovereigns. He wished to ask his right hon. Friend the President of the Board of Trade whether he meant to prepare any measure during the recess for the purpose of relieving the shipping interest of that burden? The next question to which he wished to refer was that of passing tolls. Select Committees of the House had over and over again decided that passing tolls ought to be abolished, because the shipowners by whom they were paid received no equivalent for the charge. Then there was also the question of local charges. It was true that the differences which had arisen out of the large sum paid to the corporation of Liverpool for their municipal purposes in the shape of local charges had in a great degree been settled by a private

Bill, but there were other charges of a similar character which still continued to be levied. The town of Newcastle raised in that shape between £18,000 and £19,000 a year, and out of that sum not less than £12,000 were expended in the paving and lighting of the streets. The port of Sunderland, which was perhaps the largest ship-building port in the world, and which had four times more shipping than Newcastle, paid annually to the latter town, in the shape of local dues, a sum of £1,400; and charges of the same kind were levied in Hull, in Bristol, and in other ports. He wished to know whether his right hon. Friend the President of the Board of Trade meant to prepare during the recess Bills for the settlement of these three questions in conformity with the recommendations of Select Committees of the House, and the recorded opinions of the noble Lord at the head of the Government, of the Chancellor of the Exchequer, and of other members of Her Majesty's present Ministry. If the right hon. Gentleman would pursue that course it would not be necessary for him (Mr. Lindsay) to embrace in the inquiry which he meant to propose next year those three important questions, and he should be enabled to limit the scope of his investigation to other subjects, such as the duty on marine policies, the timber duties, and other points into which the House had not yet inquired.

Mr. CRAWFORD begged to make a few observations on a subject of a cognate character to that to which the hon. Member had referred. The House was aware that the Merchant Shipping Act constituted the mercantile marine fund, but probably they were not aware that the accumulations of the fund amounted to £280,000, in Exchequer bills and £82,000 in cash, being a total of £362,000. He apprehended that it was never intended that there should be such a large accumulation, and he wished to ask the President of the Board of Trade what were the intentions of the Government as to disposing of it. The money was derived principally from light dues, ballast rates, fees on masters and mates, and ships' crews engaging and discharging, and fees on the renewal of masters and mates' certificates. The surplus of income over expenditure was in 1854, £180,000; in 1855, £106,000; in 1856, £165,000; in 1857, £85,000; and in 1858, £102,000. He could congratulate Irish and Scotch Members on justice having been done to their respective countries in one particular. The annual expenditure on English lighthouses during the five years was £25,000, on Scotch lighthouses £26,000, and on Irish lighthouses £11,000. The sum expended for life-boats was insignificant, being only £13,360 during the five years. He would suggest that a larger sum should be expended on life-boats and other means for preserving the lives of passengers from the perils of the seas. He wished to know whether that suggestion would be adopted, or whether the amounts received would be diminished. He also hoped that during the recess, the right hon. Gentleman would take into his consideration some mode of disbursing the £360,000 already accumulated, which would be acceptable to the shipping interest.

Mr. DIGBY SEYMOUR said, he agreed with the hon. Member for Sunderland in thinking that many of these charges were grievances from which the shipping interest were entitled to relief. He wished, however, to state to the House an important circumstance—namely, that since the repeal of the navigation laws had opened our shipping trade to the world, foreign shipping had increased in a quadruple ratio to British shipping. He thought that might be traced to a distinct and reasonable cause. On an average taken during the years 1844 to 1848, as compared with an average taken of the years 1834 to 1838, the proportion of British shipping had diminished from a per centage of 72 to a per centage of 40; whilst in the same period of time foreign shipping had increased from 88 per cent to 133 per cent. This was a startling fact; for the increase of British shipping had not kept pace with the increase of British commerce. When they spoke of free trade in corn, they meant of course free trade in the importation of corn. But free trade in ships was quite another matter, because ships were employed to trade, not only from, but at foreign ports. Thus British shipping had not yet reaped the full benefit of free trade. On the 15th of February last there were 233 trading vessels in the China seas; of these only 100 were British owned, and of these 100 only twenty-one bore the British flag. At Hong Kong there were eighty-four vessels, of which sixty-nine were lading there. Of these only six carried the British flag. But that was not the whole of the grievance of which the shipping interest had to complain. American, French, and Spanish ships could steer for their respective ports without being liable to those discriminating duties which weighed so heavily on British ships. He would take the case of a vessel sailing from New York, and bound for San Francisco. That vessel starting from 40 deg. N. lat. arrived at a point situated 51 deg. S. lat., a run in all of 91 deg., or about 5,000 miles, passing the coasts of Mexico and Brazil, sighting the Falkland Isles, and then rounding Cape Horn, ran a course of 5,000 more in a northern direction until it arrived at San Francisco. The Americans insisted upon calling that voyage a coasting one, and maintained that American ships should monopolize the trade. It was, he considered, high time that the British Government made some protest against that view of the case. It might be said that the trade was small, not exceeding 200,000 tons between New York and San Francisco. But it should not be overlooked that the American rule also applied to the trade between all the intermediate ports, and he had been informed that the rule also applied to goods to be transported across the Isthmus of Panama. The British shipowner, therefore, had not free trade. He would not go into the cases of the shipping interest with relation to that of Spain and France. The claims of the shipowners were not confined to the mere removal of the passing tolls and local dues. They thought Government ought to call upon foreign countries to reciprocate the advantages which they enjoyed in the ports of this country. If ever there was a time when they had a right to make such a demand of Government it was the present, and Government owed it as a duty to them to comply with it. It was only the other day they went into the market against the shipowners, offering a bounty to seamen, and so raising wages, and the shipowners helped them. Now that the shipowners asked for justice, he trusted it would not be refused them.

MR. MILNER GIBSON said, he would not detain the House by entering into a discussion of the question of free trade in its relation to the shipping interest. He would only say that as far as the Government had it in its power to obtain a reciprocity from Foreign States, it would lose no opportunity of doing so. Not that he would be understood as advocating anything approaching to a system of retaliation. All he meant was that the Government would lose no opportunity of promoting the relaxation of those restrictions that acted against England. With these observations he would confine himself to replying to the questions put by the hon. Members for Sunderland and the City of London. With regard to the Select Committee that was appointed at the beginning of this year, but which did not commence its sittings in consequence of the dissolution of Parliament, if the hon. Gentleman thought fit he might move its reappointment, and there would be no objection to it on the part of the Government. Of course, it would be for the House to say whether such an inquiry was requisite. There were three definite questions that had been asked, respecting which the hon. Member inquired whether the Government intended to introduce any Bills. The first of these questions referred to the light dues. These dues stood on quite a different footing to passing tolls and local charges on shipping. Whatever else might be said against light dues, it could not be urged that the money raised by them was not applied for the benefit of the merchant shipping. Formerly they were applied to the payment of the debts of the Trinity-house and charitable pensions granted by that corporation. So applied they were, no doubt, highly objectionable; but they were now applied exclusively to the maintenance of the lighthouses, which were mainly for the benefit of the mercantile shipping of the country. As to the proposal of defraying the expense of the lighthouses out of the public revenue, it was more a question for the Treasury than the Board of Trade; but he doubted if the Chancellor of the Exchequer was prepared to throw so large a sum—£200,000 or £300,000 a year—on the Consolidated Fund, or whether the House would consent to entertain the suggestion. He could not hold out any expectation that the Government would make such a proposal. He must call attention to this fact, that the light dues had been reduced 50 per cent within the last six years. The amount now paid by the shipping interest was very much less than formerly, and the erection of new lighthouses and the additional facilities for navigation provided out of these funds had conferred a very great benefit on the shipping interest. With regard to the two questions of passing tolls and local dues, he supposed that what his hon. Friend meant was, that no charges should be levied upon ships that were not applied to shipping purposes. His hon. Friend, of course, could not mean that the shipping interest was to have every kind of facilities at the public expense, and that no local charges whatever should be levied. Well, passing tolls were no doubt, to some extent, applied to shipping purposes, but he admitted that those tolls had been condemned by the House. The difficulty, however, was how to deal with the two questions of passing tolls and local dues. For his own part, he thought that they ought not to be approached or dealt with in an arbitrary and summary manner, and for this simple reason, that these local dues had arisen from such a variety of circumstances, and there were such a variety of details upon which they rested, and of debts that were contracted upon them, that nothing would be more difficult than to bring in a general Bill which should deal with them by any absolute and invariable rule applicable to all cases. He was quite sure that such a Bill would not be successful. He believed that if any Bill were brought in confined to the local dues of particular towns, or to any charitable dues, it would by the rules of the House have to be treated as a private Bill. But that would be a most objectionable course, because the matter would thus be completely beyond the control of the Government, and to a certain extent beyond the control of the House. The difficulties of a general Bill and of a private Bill being such as he had stated, he thought there was one other course open, and that was to bring in a measure of a flexible character, which should be capable of being applied with justice to the various cases as they arose, the guiding principle being that local dues levied upon shipping should be applied strictly to shipping purposes, but at the same time that the just claims of municipalities and the various rights of creditors should be properly respected. Such a measure, he thought, would settle the question, and would receive the support of all the corporate bodies in the country interested in this subject. On the part of the Government he was quite willing to say that they would give their consideration to a Bill of that sort, and he would probably introduce such a Bill in the next Session. With regard to the surplus of the mercantile marine fund to which the hon. Member for London (Mr. Crawford) had called attention, the statement of the hon. Gentleman was not correct. The annual income of that fund, after certain recent reductions had taken effect, and which had probably escaped the attention of the hon. Member, was £330,000; out of that sum £230,000 was paid for the maintenance of lighthouses, and the payment of that and some other charges left an annual balance of only £10,000. That was not a very large surplus in reference to an income of that magnitude. It was of course perfectly understood that if by an increase of trade the fund should become much larger there would be further reductions, from which the shipping interest would derive benefit, as they had from the reductions which had been already made. The present balance would be applied to a great extent to the paying for seventeen or nineteen new lighthouses that were in process of erection, and there was not at the present moment that opportunity which the hon. Gentleman supposed of making a material reduction of the income of the mercantile marine fund. Should such an opportunity arise, the hon. Gentleman might be assured that he (Mr. M. Gibson) would instantly take advantage of it. In conclusion, the right hon. Gentleman said, he could not hold out much hope that any measure would be passed for the purpose of putting the whole charge and support of the lighthouses of the United Kingdom upon the Consolidated Fund.

Mr. RIDLEY congratulated the House on the improved spirit in which the question of shipping dues was now approached by the Government. He trusted that the rock on which the Bill of 1856 was wrecked would be carefully avoided, and that no attempt would be made to deal with the matter in an arbitrary spirit. He was quite sure that such a measure as the right hon. Gentleman had indicated would, if founded upon the principles of justice, receive a most careful consideration from the representatives of the different harbours in this country. With reference to the local dues of the Tyne, they were expressly appropriated for Municipal purposes, so that most probably all local matters in that case would be settled by a private Bill.

Mr. W. MILLER was understood to express his thanks to his hon. Friend (Mr. Lindsay) for having brought this question before the House, and trusted his hon. Friend would pursue his intention of moving for a Select Committee to inquire into the subject next year.

THE WOODS AND FORESTS.—FORESHORES.—OBSERVATIONS.

MR. AUGUSTUS SMITH rose to call the attention of the House to the question relating to the right of the Crown to the foreshores of the United Kingdom, and the proceedings of the Commissioners of Woods and Forests in dealing with this kind of property. These were to be found embodied in certain returns made to this House, and the Reports laid annually on the table by those Commissioners. He said that the claim of the Government to the foreshores as the dominion and hereditament of the Crown rose first to any importance about fifteen years ago, before which time scarcely any more notice was taken of it than was necessary for the protection of the public. The voluminous return made on the Motion of Mr. Cheetham showed that in 1833 the first suit arose in connection with Chester. Ic 1839 there was a suit connected with the Humber; in 1844 the great suit about the conservancy of the Thames. In 1845 there were three suits of this nature; in 1851, one connected with the Mersey; in 1852 and 1854 there were suits connected with the Isle of Man; and in 1855 and 1857 there were several suits in connection with the coast of Scotland. Almost all these suits—though stated in the return to have ended in favour of the Crown—were in reality almost all, more or less, compromised; and he expressed his regret in concurrence with Lord Derby, that those of a more important character—particularly that with the city of London, in respect of the Thames—had been so terminated, preventing thereby any judicial decision upon the subject matter of litigation, from which much public benefit would have resulted. He had quoted the figures to show this notion of right to the shores as the freehold property of the Crown, and of appropriating it, had year by year waxed stronger and grown upon the Woods and Forests, and he would now proceed to show how those who had the management of the subject had dealt with this assumed right. Between 1830 and 1839, there were four sales and nine leases; 1840 and 1849, eighteen sales and twenty-two leases; 1850 and 1858, 117 sales and thirty leases—making in all 139 sales and sixty-one leases, within the limits of that return. These sales had realized the sum of £95,000, and the reserved rental on these leases was £958. So stood the account up to March, 1857, as detailed in the reports of the Woods and Forests; but in the year ending March, 1858, no less than twenty-three sales are recorded, and for a sum of £45,850, making a total with previous receipts of £141 obtained from this newly-claimed species of property. The sales of this one year also show the extent and universality of their operations—one in Carnarvonshire, three in Cheshire, one in Devon, one in Hants, two in Lincoln, two in Norfolk, two in Pembroke, one in York, one in Dumbarton, one in Forfarshire, two in Renfrew, one in Armagh, one in the Downs, one in Limerick, one in the Isle of Man, and one in the Thames. What the nature and extent of like proceedings may have been during the last year there are no means of tracing; the accounts up to March, 1859, having been but just laid on the table, and will probably not be printed and in the hands of Members for a year to come—a delay he much complained of, as it was impossible in consequence to take notice of the proceedings of these Commissioners till it was often too late to check and prevent their wrong-doings. This loudly called for correction. The return contained notes stating once and again that this was property which had never been before in lease, or any previous acknowledgment received, or any hope of profit from it, or over which any rights of ownership had been exercised. The authorities who undertook the management of these matters even went so far as to prohibit people from erecting barriers against the inroads of the sea, unless they had acknowledged the right of the Crown by some payment under a lease. Of such, there are several instances recorded in these reports, and it may suffice to quote the reference to one at Dovor, where a lease was granted, it is stated, "for the purpose of empowering the owner of some adjacent premises to protect his property from injury by the inroads of the sea. A new feature is further disclosed in these transactions, namely, the sale of the fundur, or bed of the sea, that portion which is always covered with water, and is below low-water mark. Instances of such sales being included are to be found at Birkenhead and other parts of the coast. Rights of this nature have been very frequently asserted in Cornwall of late years. He wished particularly to call attention to the claims thus put forward by the Duchy on the estuary of the Tamar or Hamoase, which had been much too readily and unaccountably admitted by the Government departments.

Every one knew Keyham Docks, to form which many acres of land had been purchased, and immense sums laid out in the construction of the works and particularly in the basin. Now this basin stretched into and enclosed a large area of the deep water or bed of the estuary. For this the Duchy claimed to be paid as owner, and had been paid as much as £50 per acre for seventy acres, making a sum of £3,500, which the public have had to pay, for what is literally their own property. If such right of sale really exists, there is nothing to prevent the Duchy selling the whole of that great estuary, the Hamoase, where our fleets now ride at anchor. He particularly brought this to the notice of the Secretary of the Admiralty, as also of the Secretary for War, in reference to the powder magazine at Bull Point, the cost for which had figured so largely in both the Navy and Army Estimates, and where a similar payment had been submitted to for the bed of these waters. What he wished for was an explanation by the law officer of the Crown as to what was the right by which portions of the foreshores were sold. Those sales excluded the public from the exercise of their rights of navigation, fishery, &c. &c., without any compensation at all, the purchase-money being simply added to the capital of the Commission of Woods and Forests, a property we have been significantly told more than once, by those who sit on the Treasury bench, the country has but a life interest in. It was said that the Crown had a sort of manorial right over the shore, but if so still the public ought to be considered in the light of occupiers, and if excluded from their rights should have compensation. It frequently happened that the Crown came in and occupied the shore, thus cutting off the sea frontage of the owner of the adjoining land, and this was done without any legal form or process, such as manorial wastes and commons are subject to, by being brought under the direction of the Enclosure Commissioners, whose awards have to be confirmed by a general Act of Parliament. In the borough which he represented (Truro), it had always been supposed that the tidal water there belonged to the corporation, but they were too poor to fight the battle with the Crown, and consequently the other day they were obliged to pay £1,800 for some mud banks which were of no use to the Duchy of Cornwall, and adjoining which they had no property. He was himself trustee for some property in Cornwall, from which a valuable frontage, in the manner which he had described was threatened, might be cut off. If the Crown had this right to the shore, surely they ought to keep up the shore so as not to produce injury to the adjoining property. Assuming the Crown had certain rights over these foreshores, it was clear they had certain obligations also. There was an obligation upon the Crown, according to Lord Coke, to prevent the land adjoining the shore being flooded, but that obligation the Crown neglected. Lord Coke in his Report says—"The King ought of right to save and defend this realm as well against the sea as against enemies, that it should not be drowned or wasted." The obligation, then, rests on the Crown to defend the land round the whole of the coasts, and it is this obligation and not any claim to soil and possession that gives the Crown any jurisdiction in any sense over borders of the sea. His attention had been drawn to this subject by seeing for several successive weeks an advertisement in the *Economist* newspaper head, "Crown Lands —Hull Citadel." The advertisement went on to describe the property as freehold, comprising sixty acres; thirty-five of them being the Hull citadel and the remaining twenty-five acres were the foreshore of the river Humber, which was covered by the tide at high water, and left dry at low water. Now, he was informed that at certain states of the tide it was necessary for vessels navigating the river to pass over this foreshore, and the public rights would be materially affected by the proposed sale. It was curiously enough described as freehold property; but what he wanted to know was, what was the real nature of the freehold described in the advertisement, what were the obligations attached to it, and what were the public rights connected with it? He would trouble the House with but one instance more as peculiarly illustrative of the mode in which the Woods and Forests were dealing both with this and other public property. The case alluded to was that at Hull, respecting which certain papers had recently been laid before the House. The Hull Citadel had been held by the War Department for three or four hundred years past, and now the Woods and Forests came in and claimed the property, seeking to apply the proceeds of the sale for the benefit of the Crown lands. It was but the other day a noble Lord opposite brought under the consideration of the House, the defences of the Humber, and for which the country will be called on to vote large sums, first for the purchase of land, and next for the erection of fortifications. It is to be hoped the Chancellor of the Exchequer will take care to impound the £100,000 the Woods and Forests are attempting to lay hold of for this property which does not belong to them, and apply this sum towards the erection of the defences of the Humber, in which Hull itself is so deeply interested. He could assure the House very great interest was felt in this matter and very great dissatisfaction was growing up all over the kingdom both as to the claims made on behalf of the Crown, and the mode in which those claims were dealt with.

Mr. PHILIPPS thought the House was much indebted to the hon. Gentleman for bringing forward this subject. He could lay it down as a simple proposition which no one could dispute, that if the Crown had certain rights over the foreshore it had also reciprocal obligations. Now, if it claimed the foreshores, a reciprocal duty must clearly be to prevent trespassing upon the foreshore to the injury of the adjoining lands. He was himself the proprietor of lands adjoining the sea-shore. Persons were in the habit of trespassing upon the shore to obtain shingle and ballast, and although by carrying away this ballast they greatly imperilled his property, it was useless to proceed against the trespassers before the magistrates, as they declined to exercise their summary powers where the right to the property was in question. To obviate this difficulty, he had been compelled to pay several hundred pounds to the Woods and Forests for the foreshore, which, except for the purpose of preventing these trespasses, was perfectly worthless to him. One of the tenants of the adjoining proprietor came to him the other day in a state of great alarm, stating that he was afraid a large field of corn was in danger of being carried away by the sea, in consequence of the depredations committed by trespassers. If the Crown claimed the foreshores, it was clearly bound to protect the adjoining property, but the Woods and Forests had refused to maintain a police for the purpose. With a view of showing the absolute necessity of some decision being arrived at, the hon. Member mentioned that a short time ago a very eminent engineer told him that he had been employed by the Board of Admiralty against the Woods and Forests: it surely could not be for the good of the country that such a state of things should continue.

The ATTORNEY GENERAL was of opinion that when the matters referred to by the hon. Gentleman came to be considered it would be seen that the Commissioners, who were only trustees for the public, had been merely anxious to do their duty. The charge which had been brought against them by the hon. Member who spoke last was of the most singular description, and only proved that he had taken no pains to inform himself on the subject; for if the hon. Gentleman had reason to complain of any trepassers, and had preferred a complaint to the Woods and Forests Commissioners, it would have been immediately attended to. There was a remarkable case in point upon the records. In May, 1857, a complaint was made to the Commissioners, at the instance of certain landowners in Sussex, of the removal of stones and shingle from the beach, to the injury of their property. He, as Attorney General, recommended that a plaint should be brought by the Commissioners in the County Court; and the result was that the defendants were fined a certain sum in the way of damages, and the practice put a stop to without costing the country a single farthing. If the hon. Member, and any other parties aggrieved, had only followed the same course relief would have been afforded to them, and a recurrence of the inconvenience would have been prevented. But the hon. Gentleman spoke as if it were the duty of Commissioners of Woods and Forests to enclose the sea-shore, and to preserve it from trespassers; that showed how very little the powers of the Crown had been considered. By the law of the country, the whole of the foreshores, the beds of navigable rivers, and the beds and foreshores of estuaries, were vested in the Crown; and it was for the general public advantage that it should be so. It was vested in the Crown in a double sense—first, as regarded the right of property, and then as regarded a right of jurisdiction. It was commonly said that property was vested in the Crown for the good of the public, and that was true of all property given to the Crown; but it was in this sense true of property vested in the Crown, that the Crown could appropriate no part of the country to the prejudice of the subject. The public had a right to a free passage from the shore to the sea, to get into boats, to go out to sea to fish, and to use the shore for ordinary purposes; and the Crown had no right to appropriate any portion of the shore unless it were for the public interest and advantage. Unfortunately, in ancient times, improvident grants had been made of this description of property; and in other respects the rights of the Crown had been so much neglected that proprietors of land along the shore began by a series of encroachments to assume the right of property over the shore itself; and by the lapse of years, and by unrestrained acts of ownership, these rights were so far established that large tracts of property had been taken away from the Crown. And how had those rights been used? It was notorious to all who were acquainted with the subject that when this right of foreshores was vested in individuals, and there happened to be some public measure, such as the formation of a dock or railway, private individuals had the opportunity of pocketing large sums of money, which, if this property had remained in the hands of the Crown, would have gone into the public exchequer. The noble Earl to whom the hon. Gentleman had referred when he last brought forward this subject (the Earl of Derby) had received an amount of several hundreds of thousands of pounds for parting with his rights in this description of property to a public body; and in another case a sum of £90,000 had been claimed in respect of similar rights from the Birkenhead Dock Company. It had been said that disadvantage would result to the public if this property continued to be vested in private individuals who had it in their power to practise petty exactions. He agreed in that opinion, and a public document which he held in his hand afforded a signal example of its truth. The Duchy of Cornwall had granted a lease of the foreshore of the Scilly Islands to an hon. Gentleman who claimed in respect of that lease to be the owner of property which was held only *pro bono publico.* The ownership of this foreshore appeared to be attended with the most petty gains. For any piece of wreck cast upon the shore the owner obtained from the Receiver of Wrecks sums varying from 6*d.* up to larger amounts. From he paper to which he had referred it appeared that a topgallantmast belonging to some unfortunate vessel which had remained upon the sand for five or six days, was charged 4*d.*, a wood-stocked anchor 3*s.*, and a balk of timber ten feet long 7*s.*

Mr. AUGUSTUS SMITH denied that this small charge had been made in the light of exaction, but simply with a view of securing the rights of private property from infringement.

The ATTORNEY GENERAL said, it was not only for the use of the foreshore but the pier that the charge was expressly made. He found, however, that the charge increased in proportion to the size of the waif. The temporary accommodation of a wood-stocked anchor was set down at 3*s.*, while for a spar measuring 101 feet, as it took up a much greater quantity of the shore, 7*s.* was charged. This illustrated the necessity of having property vested in public bodies, or the Crown instead of private individuals, The Commissioners of Woods and Forest. were nothing more than trustees for the public, and they had used the right vested in them for the purpose of gaining back for the public property which had been unjustly taken away. An official Return showed that from 1830 to July, 1859, twenty-nine suits had been instituted by the Commissioners of Woods and Forests, under the advice of the Attorney General, including the small County Court case of which he had spoken—of these, twenty-two resulted in favour of the Crown, three suits were still pending, two were discontinued, and two resulted in adverse decisions. One of those adverse decisions was a mere opinion of the Court, taken by his own advice, as to the construction of a grant, which the Court considered to be in favour of the right of the individual. These suits had produced to the country a sum of £185,000, and this had resulted entirely from the management of the Commissioners of Woods and Forests and their care in exercising the public duties committed to them. The greater number of these suits were determined before the establishment of the Act which he had had the honour of bringing in to make the Crown amenable to costs in the ordinary way, previous to that period the rule having been for the Crown neither to receive nor to pay costs. The expenses of these twenty-nine suits had therefore been under £15,000; and looking to the magnitude of the suits, one of them having been a suit against the Corporation of London, he thought that an average of £500 each was extremely moderate. But it must not be supposed that if the rights of the Crown were given up for the benefit of the adjoining proprietors, the public would gain any advantage whatever by that. Therefore, in point of fact, although the Commissioners might suggest alterations, it remained with the responsible legal advisers of the Crown alone to decide, and he (the Attorney General) must say, he could not see how these matters could be better provided for than by the mode in which they were now arranged.

MR. DUNLOP thanked the Attorney General for his very satisfactory statement. The Crown had not very long ago taken possession of a portion of the shore on the banks of the Clyde, on which old men past the time of active labour and others were in the habit of catching shell fish and digging for bait, and had let it to a fishmonger at Glasgow for the annual rent of £30, thus depriving these poor people of the means of getting their living. Such a mode of administering Crown property ought not to be encouraged, but he was convinced that if it were administered on the general principle laid down by the Attorney General, it would be most beneficial to the public interests.

INDIAN REINFORCEMENTS. — THE NATIONAL DEFENCES.

RESOLUTION.

SIR DE LACY EVANS said, that the purport of the Motion which stood in his name was —"That, under present circumstances, it is not necessary or expedient to carry into effect the recent Order for despatching 6,700 Men to India, from the Depôts of Regiments serving in India." The late Government gave orders for the despatch of a considerable force of artillery to India six or eight months ago. The matter was brought before the House, and the Government judiciously altered their determination, and did not then send artillery to India. The circumstances of the present case were essentially the same—6,000 or 7,000 men were about to be sent out, and he hoped the Secretary for India would find on consideration that this was not either necessary or advisable to be done. It was said by the Secretary for India that this was the usual season for sending out recruits to India. That might be; but circumstances were not such as to justify such a force being sent out of the country. Both on financial and general grounds such a step would be unwise. The right hon. Gentleman the Secretary of State for India a night or two ago, said that the finances of India were in an alarming state. This despatch of troops would cost £300,000 at least, and this burden would necessarily fall on the Indian Government. The transmission of each soldier to India cost £15, and you had to add to that the same amount for each man coming home. At the present moment it was stated that 4,000 men were coming home; so that these two forces would cross each other on the sea. In a more important point of view than the financial one he thought he made no undue assertion—it had indeed been repeatedly admitted in discussions in that House—when he said that the military force actually in this country was inadequate. The sending away of these 7,000 men would cause a serious diminution of that force, and this certainly was not a time to diminish it by so large a number. The Indian army was immense —far beyond the present requirements of that country. The recent despatches from India stated that everything was going on satisfactorily. Oude was tranquil, about a thousand forts had been captured from the talookdars and destroyed, a great quantity of cannon, and above a million of small arms taken away from the Natives, and yet you were sending out European troops, while at the same time the Government of India proposed to reduce the Native army by one-fourth. If all this was the case, surely it was not necessary to send reinforcements out of this country. He might be told that he exaggerated the requirements of this country for troops. He did not think so. It was true that intelligence had been received that the French army was to be reduced, and it was satisfactory to learn that such an order had been issued by the French Government; but it was a delusion to suppose that such a disarmament afforded any analogy to a disarmament of the English army and navy, for the disarmament of the French was only a furlough to the men, who were liable to return within a month when required, while the officers and non-commissioned officers remained on the establishment whether in peace or war. It was said that the French disarmament extended to sailors; but there was a curious circumstance, which deserved notice. Hitherto the furlough of sailors allowed them to return to their ships at a month's notice; but now they were required to do so at five days' notice. This looked as if the French Government wished to be prepared to replace their fleet in an effective state with more than usual promptness, if it should deem it expedient. This disarmament of France, therefore, was no such dirarmament as would justify us, if our force was inadequate, in reducing it still more. There were now 100,000 European soldiers in India, and this bore on the subject of the finances of the Indian Government. He had seen a statement in the Bengal journals that "it was not bayonets or artillery that were wanted, but a good system of government." He wished to impress on the House that it was objectionable to send these troops out of this country. It was said that the recent disturbance in the local force in India was an additional reason for sending out more troops from England. The authorities here and in India had mismanaged this matter of the local troops. Forty men of this force were to be brought to courts-martial, and 6,000 or 7,000 of this force were to be discharged. You had a large force in India, double the number that put down the mutiny, and when you found that the Indian Government was reducing their local force it showed that any additional troops were unnecessary.

Amendment proposed,—

"To leave out from the word 'That' to the end of the Question, in order to add the words 'under present circumstances, it is not necessary or expedient to carry into effect the recent Order for despatching 6,700 Men to India, from the Depôts of Regiments serving in India,'" instead thereof.

COLONEL P. HERBERT, who had a Notice of Motion on the paper, "That in the opinion of the House the military force at present available for service within the United Kingdom is inadequate to existing requirements," said, that as, by the forms of the House he could not make his Motion, he would take advantage of that of his hon. and gallant Friend to make the statement he desired to address to the House on that subject. He would not enter into the question of the general defences of the country, or of the military forces of other nations, or even of what ought to be the number of troops for the defence of this country; he wished to confine himself to the fact of the number of troops which were actually possessed in the United Kingdom at the present moment. He had before him a document, the accuracy of which would not be disputed by the Secretary for War, and he had extracted from it the figures he wished to bring before the House. He would refer to the number of troops in the United Kingdom on the 1st of June in this year. The total number on that day, including militia, was 110,000. He wished to enter into an examination of the actual value of that number of men. Excluding the embodied militia the number was reduced to 86,000; of these 10,000 were officers, sergeants, and drummers; and that reduced the rank and file to 76,000. When a force was of inferior quality you required a larger number of men. Of the 76,000 men nearly one half were under one year's service, and the number under twenty years of age was 28,000. Of the whole number 11,000 were recruits—and you must take the sick at 5,000, absentees at 4,500; making a total of 20,500; leaving fit for duty 55,000. So that you had come down to one half of the original number. Of this force the cavalry were 7,600, the artillery 9,000, the engineers and the medical corps 3,000, making 19,600; so that the regular infantry were reduced to 34,500. Of this number 15,000 belonged to depôts principally of the regiments in India. The depôts were composed of 24,000 men altogether, and of these 10,000 were under twenty years of age, and 15,000 were under one year's service. This showed what would be the value of these depôt troops, and except for the purpose of defending fortified places it would be extremely small. Of the seven battalions of the Guards and the twenty-four regiments of the line, excluding the sick and absentees, the grand total of rank and file was 21,000; to which were to be added officers, sergeants, and drummers, 3,000: making the entire number 24,000. The embodied militia amounted to 23,000, and if the deductions in the regular forces were great, it must also be large from this 23,000 men. Many of the militia regiments were extremely fine battalions, but many of them were not in the highest state of efficiency. If you allowed the defence of Portsmouth, Pembroke, and Plymouth to be committed to the militia and the depôt battalions, and took the whole of the regiments of the line in Great Britain available for service in the field, the force of infantry would be 21,000 men, and if you added to these 12,000 or 14,000 militia, you would get a field force amounting to something like 35,000 men. He should no doubt be told that all armies were subject to the deductions which he had pointed out; but in this case they were out of all proportion to the nominal strength of our army. Another point which would probably be urged against him was, that if these statements were true, it was indiscreet to make them. But he differed on that point. These things were well known to everybody but ourselves. Any one who was in the habit of looking at the *Daily States* of an army might easily come to the same results as he had. Military officers of foreign nations were as able to make these calculations as he was. Every week the stations of our army were published in some of the journals, and for 1*s.* 6*d.* any one could get the Army Estimates; and by these means any soldier could make the calculation for himself. The remedy was in the hands of the Government, and if they could get over the financial difficulty—that of getting the money—the expense of putting the matter on a proper footing would be small. Our regimental establishment was large, and 30,000 men could be added to our infantry without the addition of a single officer. More militia regiments ought to be embodied. In any reply to his figures he should like the House to bear in mind that the repetition of the gross totals could not be considered as a refutation of his argument. His figures were correct, and if they showed that our infantry was only 21,000, and that you had only 14,000 out of the 23,000 militia to add to them for the purpose of meeting an enemy in the field, he hoped the House would feel that the military force at present available for service within the United Kingdom was inadequate to existing circumstances.

Sir ANDREW AGNEW said, that with reference to the Motion of the hon. and gallant Member for Westminster, he would say that we had now in India a force most adapted for the defence of this country, and instead of not sending out these 6,000 men to India it would be better to let them go, and bring home some of the fine seasoned men with all the experience of the Crimea and the late war in India upon them. It was a shame that such troops should be allowed to die away from the effects of climate in India. It was best to send out the newly raised men, and bring the seasoned troops home, who would be more available for our defence than militia or newly raised corps.

Colonel NORTH hoped the Government would send out this force. He could understand that if these men formed one corps, there might be an objection to losing their services; but these men were all driblets from various depôts to fill up some regiments, and enable others to be relieved. Many regiments in India would be rendered inefficient if the usual reliefs were not sent to them, and it would be like a sentence of perpetual banishment if regiments were not brought home. He was afraid that the services of more than 6,700 men would be required in India, according to the reports which had just reached this country. He believed the Secretary of State for India had a Motion, the object of which was to increase the local European force in India; but if what we had heard was true, and one regiment of this force had set the example of intrenching itself in its barracks and electing its own officers, he thought the sooner our own regular soldiers went out there the better. A man who got a European regiment to mutiny must be very clever indeed; but, from inquiries he had made, he believed that the ranks of Indian regiments were filled with broken-down lawyers and men of that description. He meant no disrespect to the learned profession, but troublesome soldiers were always called the "lawyers" of the regiment. There was not a single case of mutiny in a Queen's regiment. Even the outbreak in question could hardly be called a mutiny. It was one of very gross insubordination. The men had shown respect for their officers; but they had a grievance which they insisted on being redressed; but, if proper steps had been taken and they had been told that the case had been settled against them, not by the Attorney or Solicitor General, but by the Adjutant General, they would have manifested a different feeling. It had been admitted by the present Prime Minister that they were entitled to their discharge or some consideration. Every one knew how particular soldiers were in these matters. A man who had enlisted into the 6th regiment knew he could not be obliged to serve in the 5th or any other regiment. In a Queen's regiment things would be explained to the men on their private parades; or if the men fancied they had a grievance an old soldier would go to his captain, and on returning, when asked the result, would probably tell the men, "I don't know what he said, but it's all right," and they would be satisfied. If this had been done here, there would have been no rumpus whatever. With regard to this Indian European Force he could not say much for its internal discipline when such a wide-spread movement should have taken place, and that not a single Non-Commissioned Officer from the Serjeant-Major to the Lance-Corporal had made his officers acquainted with it, and its being found out was owing to the soldier-like feeling of two private soldiers who had been transferred to the Indian Army from the 9th Lancers, and who gave information of it the moment it came to their knowledge. He understood that the only regiment of that force who stood by their colours, and their officers was the 1st Bengal Fusiliers which had distinguished itself so much at Delhi. With regard to the available force in this country, he thought that his gallant Friend (Colonel P. Herbert) took too gloomy a view. An infantry soldier of a year's standing, so far as fighting was concerned, was an efficient soldier; Waterloo was won by men who had not been more than two or three months in the service. As to the calculations which had been made, he did not see why the sergeants, who were armed like the rest of the men, should be deducted from the available force; and the Military Train Corps, though noncombitant, formed an integral part of our force, and ought to be reckoned with it. Then, again, 5 per cent was the usual allowance made for the sick; and altogether he thought the deductions made were far too many. With regard to the Militia, he was at Aldershot last Saturday, and, as far as the movements of the men went, he defied any one to distinguish Militia from Line regiments. It was impossible to see finer troops, and he hoped the Government would continue to maintain the regiments which were now out. It was not drill or numbers which made a regiment, but the soldierlike feeling and discipline which animated the men. Five hundred men well disciplined were more valuable than 1,000 others. He was glad, therefore, to hear the notice of the Secretary for War that evening for the formation of a reserve corps from men who had been ten years in the service. They would prove a great additional security to the country if they could be got to join this corps. He agreed that no sufficient inducement was proposed; but, as a soldier who entered the army at eighteen would leave it in the prime of life, 20,000 such men would be of the highest value in protecting our shores.

SIR EDWARD COLEBROOKE said, he shared in the opinion of the hon. and gallant Member for Westminster (Sir De Lacy Evans) that looking to the state of India, and the large European force there, he could not see why such a large number of additional men should be sent out. But he rose to point out to the House that the force which the hon. and gallant Member wished to retain in this country did not belong to the British Government, but to the Government of India. It was natural that the hon. and gallant Gentleman should wish to have as many troops as might be necessary for the defence of the country; but he hoped he would do justice and allow that if this force were made available for the defence of this country its expense should be charged on the revenue of this country instead of that of India. The whole question of the relative expense of troops borne by this country and India deserved considerate revision by the Government. He (Sir Edward Colebrooke) had given notice of his intention to bring in a Bill to extend the power of the Indian Government to increase the local force.

SIR CHARLES WOOD thought it unnecessary for the House, on a simple question of sending draughts to India. to wander into a debate upon Indian finance, upon the organization of the Indian army, or upon the national defences. He agreed with the hon. and gallant Member opposite, the Member for Oxfordshire (Colonel North) that if this were a question of sending regular organized regiments out of this country to India, it would be objectionable. Nothing of the kind was, however, proposed. Whether the force in India was to be reduced or to be kept up at its present amount, it was indispensably necessary to send out these draughts in order to keep up the efficiency of the regiments which were to remain in India; and this was really all it was now proposed to do. Although it might appear that it was a large number of men to send out at one time, it should be observed that they were sent out at this particular time in order that they might arrive in India at a season of the year when they were least likely to be affected by the change of climate, instead of being sent out in driblets all through the year. With regard to the reduction of the force in India, it had been intended to send home ten regiments in the course of this year; but circumstances had occurred which interfered with that measure, and the excitement which had arisen amongst the European troops, though it had been a good deal exaggerated, made it advisable, in the opinion of the Government of India, to retain two or three of the regiments which had been ordered home. One regiment of cavalry, however, and seven regiments of infantry, with a battalion of the military train, had already left India, or were on the point of embarking.

SIR DE LACY EVANS asked how many men were coming home?

SIR CHARLES WOOD could not say

exactly the number of men, because they were allowed to volunteer into other regiments remaining in India up to the moment of the departure of their regiments. The regiments coming home were the 9th Lancers, the 10th Foot, the 29th Foot, the 32nd Foot, the 78th Foot, the 84th Foot, the 86th Foot, and the 2nd battalion of the Military Train. The 61st Regiment also, he believed, had actually left, or was on the point of leaving India for the Mauritius.

Colonel SYKES said, that there were at present 110,000 European troops in India; their cost was enormous, and it would be financially prudent to diminish their numbers as soon as possible. But the main question to be considered now was, whether a certain amount of European troops were more required in India than in this country. If their services were more needed in England than in India, then it would be of the greatest possible advantage for the purpose of the defence of the former, as well with a view to relieving the finances of the latter, that those European regiments which could be spared should be sent home as fast as possible. But he must add that the proposition of the hon. Member to send out to India raw recruits and send acclimatized soldiers back to England, seemed to him somewhat extraordinary. The new-comers in India died off by scores in the first two or three years, and the expense of transport to replace them was very great. But if it be necessary to increase the army in England, it were better to retain the proposed reinforcements of recruits than to order home acclimatized soldiers. With regard to the so-called European mutiny, he could not refrain from remarking that the discontent which had recently arisen among the Company's European troops had, in his opinion, been strengthened by mismanagement, and the display of a great want of tact on the part of the authorities. If they said to the men, "We do not think you are entitled to demand that which you claim; but you have fought gallantly at Delhi, and Cawnpore, and Lucknow, and elsewhere, and we are disposed to deal liberally with you out of admiration for your valour," they would, he thought, have adopted a much wiser course than they had pursued in having recourse to that narrow economy which had led to such unhappy results, and which had been productive of fourfold the expense which a generous policy would have involved.

Mr. HORSMAN said, he did not think the question raised by his hon. and gallant Friend the Member for Westminster (Sir De L. Evans) was so unimportant as the Secretary of State for India seemed to think. He thought that the attention of the House could not be called too frequently or in terms too strong to the state of insecurity in which this country was now placed, owing to the fact that she possessed no adequate military force at home for her protection. His hon. and gallant Friend had shown that the troops which were now in India were not required there; that they were a great burden to its finances, and that on Imperial grounds the services of an additional number of soldiers were required in Great Britain. The question, in short, which his hon. and gallant Friend's Motion raised, was not whether a certain number of recruits should or should not be sent out to India, but whether a number of seasoned regiments should not be brought home from that country to England. We had at present an army consisting of 110,000 European troops in India; but it must be borne in mind that 30,000 European soldiers had put down the mutiny there when it was at its height, and that therefore we were keeping up in India a larger force than the circumstances of the case demanded, while at home we had a smaller force than the safety of the country justified us in maintaining. This must not be treated as merely a departmental question. In dealing with the subject, there were two questions to be considered—the first being what was the probability of our military force being required for any home exigency; the next whether, if so required, it would be sufficient to meet the exigencies of the nation. In order to furnish an answer to the first of those questions, it would simply be necessary for him to refer to the sentiments of all the Statesmen of the Continent who were most versed in European politics, who were most intimately acquainted with the secret springs of action in the case of cabinets, rulers, and armies, and who, almost without a dissentient voice, stated it to be their belief that the time might not be far distant when England would need the aid of a large army to fight for English liberty upon English soil. The great majority of such men held the occurrence of such a crisis in our history to be not only not improbable, but as being in accordance with present appearances inevitable. ["Oh, oh!"] Hon. Gentlemen might cry "Oh, oh!" but nobody who looked closely into the aspect of European politics could fail to be of opinion that the peace of Europe could not for many years to come be maintained unbroken [" Oh, oh !] ; or who did not think, if another European war were to take place, it was by no means unlikely that England would find herself compelled to engage in the struggle. And those of our own public men who from their character and the nature of their pursuits were the most disposed to be reserved—diplomatists who were versed in the affairs of the Continent—spoke in terms of warning upon the subject, and, if that warning were not attended to, we might have cause ere long to rue our indifference. But, suppose such an hour of danger were to come, what, he should like to know, would be the position in which we should stand? He was afraid that the hon. and gallant Member for Ludlow (Colonel P. Herbert), who had made so clear a statement, spoke from better information than the hon. and gallant Member for Oxfordshire (Colonel North). But it was not a question of a few more or less troops, or of figures, or returns, but it was the fact that the strongest representations and remonstrances had been addressed to the Government by the highest and most competent authorities on the subject; and they had had as great an amount of concurrent testimony laid officially before them as was ever got together. They were told the other night by the Secretary of State for War that a Military Committee was appointed last year to report confidentially to the Government. It was composed of the highest military authorities. They had given a confidential Report to the Government. The House had never seen that Report, and they were not likely to see it, because every one knew that the Report was of such a character that the Government would hardly feel justified in laying it upon the table. But if that were the case, the Government ought not to hold language at variance with their secret convictions and the official information which they possessed. They ought not to hold language to lull the country into false security, and in reality inconsistent with the evidence in their own possession. The other night, when he made a Motion on the national defences, he was answered in a very frank and manly speech by the right hon. Gentleman the Secretary for War. If the subject had been left where that speech left it, he should have been satisfied, and taken a course more agreeable to the House, by abstaining from a division. But, unfortunately, he heard with regret the right hon. Gentleman followed in that discussion by the noble Lord at the head of the Government, who made a speech of a different character. The noble Lord began by sneering at " the rifle fever," for having encouraged which his colleague had just taken credit to the Government, and the noble Lord went so far as to tell the House that if there should be a war and a disaster at sea, and the actual landing of a hostile army, the population of the country would be sufficient to annihilate the invaders. He was very sorry to hear that statement from so high an authority, because he was sure that no military man in the country would say that it was founded upon reason, and he was sure that, on further consideration, the noble Lord himself would not be disposed to repeat it. He thought the statement was to be extremely regretted. The forms of the House did not enable him to reply to it ; but he gave the only reply which he could give—he entered his protest by dividing on that Motion, and riveting public attention to the speech, as he hoped it would be riveted on every act and word of the Minister on this important and growing question. He felt that if only a partial disaster should occur, if even the smallest injury should be inflicted, a heavy responsibility would rest on those charged with the protection of the country. If that day should come, every word that had been spoken, every act which had been done, every confidential Report which had been submitted to the Government, would rise in judgment against them. It was said by the great Napoleon that an invaded country never wanted men, but it did want soldiers, and that was a complete answer to the statement of those who fancied that an unarmed population was in any degree to be relied upon in a case of urgent necessity. The hon. and gallant Member for Ludlow spoke from official returns, and showed how delusive the statements already submitted to the House were, and that the regular force was not only inadequate, but, in comparison with any force brought against it, almost no force at all. It was impossible to contemplate such a state of things without great disquietude. No one knew how soon an emergency might come. If in July, 1858, any one had told the Emperor of Austria that before July, 1859, a war with France would be begun and ended, he would have been taken for a lunatic. In these days danger came with suddenness and rapidity. Events came quicker and passed away quicker, and it being now a matter of notoriety that the most competent and responsible of our military authorities had laid before Her Majesty's Government in the strongest manner, repeatedly and urgently, their views of the state of insecurity in which we were, he thought it behoved his hon. and gallant Friend to take this opportunity of impressing upon the Government the duty of strengthening the home force. It was not sufficient that they were sending 7,000 to India, and bringing home 5,000. What he said was that they wanted the 7,000, and they wanted 20,000 or 30,000 more if they could get them from India, and even then they would not have the strength which every man of authority to whom the Government referred for information or advice told them that strength ought to be. Under these circumstances he really felt that these regiments were not required in India. They were required at home, and he hoped the House would take every opportunity of impressing upon the Government the duty of bringing home every single soldier who was not absolutely required in India .

Mr. SIDNEY HERBERT :—Before I address myself to what fell from the hon. and gallant Officer opposite, let me make some few remarks on the last sentences of the speech of the right hon. Gentleman who has just sat down. He gives in his adhesion, after discussion of the Motion, to the wish to stop these draughts and reliefs being sent out to India, because of the danger from attack by foreign Powers at home. What would be the result of stopping these draughts? Do not let the House think that we are sending out trained men with a military organization. These are draughts of young recruits belonging to regiments in India. We want to get whole regiments and battalions sent back to this country. We have seven coming ; they are afloat, and one has arrived. But we want many more battalions from India. We are now going upon a system which is wrong, but to which our necessities compel us. In time of profound peace we are bringing our reserves into line and using our embodied militia where we ought to have regular troops. We want to get rid of this state of things. We necessarily press upon the Indian Government to send back regiments as soon as circumstances will allow. They are unwilling to do so. Following the mutiny of the Sepoys there is the mutiny of the European local troops, and no doubt great alarm in India, and great unwillingness to send back battalions. If you want to confirm the Indian Government in retaining these battalions you cannot take a surer method than by refusing to send the draughts and reliefs which belong to regiments there ; because they naturally say, "We want so many thousand men ; if you keep back the draughts and reduce the regiments to skeletons we shall be obliged to keep more battalions to have the same number of men." The result would be, you would have an army in India with a disproportionate number of officers and an insufficient number of men, and an army in England with a vast number of men without a sufficient number of officers. You would produce inefficiency both here and there, make a great disturbance, and defeat the very object which you have in view—namely, to get battalions home to England. With regard to the speech of the gallant Officer opposite, he says, and justly says, that in estimating the value of our forces we must take into consideration that a great many battalions are very young, that there are a vast number of men under twenty, and a vast number under twenty-five. In making that statement he confirms that which I have stated on a former occasion, because I stated the other night that an improved health of the army could not be entirely depended upon, as the army was disproportionately young. But that is a fault which will mend every day. We have newly raised young raw levies ; but even young and raw levies as they are, when they arrived at Malta and were seen accidentally by a distinguished and competent judge, he said he could scarcely believe that they were such young battalions, so efficient did they seem to him. Then with the question of the amount of our military force comes the question how armies are to be counted. At one time they were counted by rank and file, and sergeants were not counted, because they did not carry any arms of offence, but only a halberd. But now they are armed ; they have a better musket than the men carry, and I confess I do not understand why you throw them out of the account. You may or may not count sergeants. But, then, you must recollect that, comparing man for man and army for army, our own counts by rank and file, while France, Austria, and I believe Russia, all count all ranks. I confess I think the whole calculation of the gallant Officer rests on very inaccurate conditions. I ave stated that I think that hitherto we ave been forced into a wrong system. When we get regiments home from India we shall get into a right system. But to say that what you mean by a peace establishment is an army ready at any moment to resist war of which no notice is given, and which may take place any day of the week, is an impossible state of things. Of course, if you take a peace establishment and compare it with a large war establishment, there must be a great disproportion. The gallant Officer says that the country under present circumstances ought to be placed in a state of defence. What are those circumstances? I do not think the circumstances now, compared with those of the past, are such as to justify us in making a violent effort greatly to increase our force. A short time ago there was war in Europe; that was said to be a reason for increasing the army; but now peace has been made, and we are told we ought to increase it because there is peace! I do not say our means of defence are not small; I think we ought to make an effort to improve them. But, again, we are told by a right hon. Gentleman opposite the time is come when we ought to reduce our army; these arguments, then, are matters of opinion, according to the political position hon. Gentlemen take. At any rate, it is not politic to be always challenging invasion, and at the same time to say, "If you do come you will find us totally unprepared." The best course is in time of peace to keep up such a force as can be easily strengthened in the case of an emergency. Let us go on improving our defensive force, for I do not say that our defences are what they ought to be, and I do say that we ought to go on improving them. But do not mislead the public by holding out the notion that this country will ever support a vast war army in time of peace. After all, what is our reserve? Supposing we were under the necessity of arming ourselves, we have a reserve, including the militia, of 65,000 men. This is not a force on paper, but consists of men actually embodied. It is a force strong enough, we are told by good military authorities, to defend all our chief arsenals. It may be a small and young force, but it is certainly an improving one. We have besides 14,000 pensioners. Including seven regiments now on their way from India, we shall have thirty-nine battalions of infantry, seventeen regiments of cavalry, and about 2,800 artillery—in all about 61,000 men. I wish the force were larger; but the way to make it larger is certainly not to retain the draughts due to India. A force of 61,000 men may not be considered a large one, but it is not to be frittered away in the manner the hon. and gallant Gentleman opposite has dealt with it. The right hon. Member for Stroud (Mr. Horsman) has referred to the terms of the confidential report on our means of defence; he says he is not aware of its character, but thinks it must contain some severe truths, as I have not ventured to quote its language. I should have thought that a sufficient reason for not quoting a confidential report is simply because it is confidential; and what is intended to be confidential is not generally made known. The right hon. Gentleman says we hear of certain representations having been made to the Government, and since those representations there has been some augmentation of our military force. I must admit that we seem to be perpetually oscillating between parsimony and the opposite excess when we deal with our military establishment. At one time we give way to an excess of extravagance; when the temporary fit is over there is an inevitable reaction, and the retiring wave leaves us at a lower point than we stood at before we began the spasmodic exertion. This uncertainty, this continual up and down, is exceedingly injurious to the efficiency of the army. I should wish the House to look at this subject calmly and reasonably, and fix as nearly as possible what should be the number of our military establishment, and the Government are now using steady efforts to augment our forces, and hope to do greater service in this way than by these kinds of spasmodic exertions. If, having no offensive intentions against any country, we steadily maintained a force sufficient for our own security, it would be much better than these violent and spasmodic attempts to convert a small army into a large one, and, after a reaction of feeling, disbanding it and reducing it to 40,000 men; though it is a system very difficult to resist in a country governed by a popular assembly. I have no objection to discussion on this subject; the more the public know about it the less they will be affected by unfounded alarms.

Colonel DUNNE, whilst thinking that we ought to avoid doing anything that was calculated to offend a neighbouring Power, was of opinion that it was our duty to place our defences upon an efficient footing.

Now, he feared that we had not taken proper means for the defence of the country in the event of danger. It was all very well to say that we must keep as large an army as the resources of the country would admit of; but what we required was the means of expanding that force in the presence of danger, and that at present we did not possess. There were no less than four Bills having reference to the military force on the table that night; but all that would be of no avail unless we had a proper system for organizing our army. He thought the proposed reserve force men would be prevented from entering the militia. He also suggested that the expense incurred for recruiting might be reduced by consolidating the machinery employed for the purpose. The system of warfare had changed very much of late years, especially as to the use of arms of precision. This had been made especially clear in the late war in Italy. But it was nonsense to talk of arming the population, for a sufficiency of arms could not be found; yet the arms of the military force had been brought to such perfection that any force that was not similarly armed would inevitably be cut off and destroyed. Therefore, he thought no man could bring himself to say calmly that he was satisfied with the defences of the country. Every step ought to be taken for putting the population in a state for defending itself; but the Government ought to guard against the raising of small desultory corps, which required a large staff, and frittered away the resources of the country.

SIR FREDERIC SMITH said, the House had wandered from the question whether these 6,700 ought to be sent out to India. These men belonged to different corps, and if they were not sent out those corps would be deficient in that number of men. He thought the Secretary for War went too far when he said that sergeants ought to be fighting men. A sergeant's proper duty was to attend to the men who were fighting in the line. A great deal had been said about our defences, and the Secretary for War was about to appoint a Commission to inquire into the state of our fortifications. It was desirable that the House should be informed of the instructions that were to be given to that Commission. He hoped that if the Commission reported in the recess, and the Government approved of their report, immediate steps would be taken by the Government to act upon the report, without waiting for the reassembling of Parliament. If certain works ought, in the opinion of the Commission, to be suspended, he hoped that those works would be instantly suspended, and that on the other hand, if new works were proposed in lieu of works which had been voted for, the Government, if they thought those recommended by the Commission were works of urgency, would take upon themselves to construct them without delay. He very much approved of the proposition to maintain a reserve force of men who had served ten years. He thought such a force would be of a most valuable description.

COLONEL GILPIN addressed a few observations to the House which were inaudible.

VISCOUNT PALMERSTON:—The hon. Gentleman who spoke last but one (Sir F. Smith) wished to know what were the functions of the Commission which my right hon. Friend has appointed, or is going to appoint. My right hon. Friend, I think, has already explained what are the functions of that Commission. Their duties will be to examine accurately all the plans of works which are yet to be made, to compare them with those works which are already made, and to see what will be the best mode of adapting that which is to be added to that which exists, in order to render as complete as possible with reference to the present system of attack those works which are essential to the defence of the dockyards and establishments of the country. They will not have so much to overhaul the works now in existence as to see in what way those works may be made most effective. I should hardly have risen, however, had it not been to correct a misconception on the part of my right hon. Friend (Mr. Horsman) as to what I said upon a former occasion. I think I understood him as imagining that I had stated the people of this country were themselves able to defend it in case of invasion. I never meant any such thing. I was approving of the rifle corps then in contemplation in the interior of the country, and I said that if we were engaged in war I did not doubt but that the people would exhibit the same spirit which was evinced by a much smaller population during the war which commenced in 1803, when 200,000 or 300,000 volunteers were raised, organized, armed, equipped, and officered, for the defence of the country. I have no doubt such a force, in addition, of course, to the regular army and the militia, would teach any invader a severe lesson. It was not in the least degree as a single means of defence that I adverted to the existence of that volunteer system, but as an addition to the other modes of defence. I may here just remark that the discussions which at different times we have had upon this subject seem to have been influenced by momentary considerations rather than by any permanent settled system. When the Indian mutiny broke out it was urged that we ought to take the guns out of our line-of-battle ships and send them to India as transports for the conveyance of troops. Lately, when discussing the means of defence at home, great stress was laid, and properly so, upon the importance of having a Channel fleet and adequate means of naval defence. There is not much consistency between these two arguments—one urging the Minister to send away all our line-of-battle ships and the other to keep them at home for home defence. I mention this that hon. Gentlemen, when turning their attention to the national defences, should divest their minds of all momentary influences and all considerations of temporary and accidental circumstances, and look calmly at the question as a permanent system. I confess I do not think, although I admit our defensive system is capable of and trust will receive improvement, yet it is not altogether so contemptible as the public seem to imagine. I hold that in the event of war we could put into the field something very little short of 200,000 fighting men. We have the regular force of, I hope, not less than 60,000 men. Then we have the militia, the establishment of which is 120,000, and if that militia be well recruited and supplied, as in the event of emergency I am sure would be the case, I reckon upon 100,000 there. Then we have 14,000 yeomanry, 12,000 or 14,000 pensioners, and then we have those men who have served their ten years, with whom my right hon. Friend the Secretary for War proposes to deal to-night. We have also always at home a certain force of marines, and we could if we chose reorganize our dockyard battalions for the defence of those establishments. Putting all these forces together, I say that an enemy contemplating an attack upon us must reckon upon not less than 200,000 men to resist him. I do not wish to prolong the discussion, but I think my right hon. Friend has shown that these 7,000 men now proposed to be sent out to India are merely recruits to fill up regiments there, and to enable other regiments to return home, and thus strengthen our means of defence at home.

COLONEL DICKSON observed, that the House was told that the 7,000 men about to be sent to India would release seven regiments of infantry, one of cavalry, and one of military train, which could then return home. It must be remembered that those regiments would come home mere skeletons.

MR. SIDNEY HERBERT: The depôts here are in excess of the regimental strength.

COLONEL DICKSON said, that might be, but the fact was that the regiments themselves would come home skeletons of regiments with not more than 250 to 300 men in each. He agreed that people were apt to take too gloomy a view of our military means; but, on the other hand, the noble Lord appeared to take too flattering a view, and he (Colonel Dickson) could not see whence the troops enumerated were to be procured upon an emergency. As for the formation of a reserve corps he quite agreed with the hon. and gallant Member for Queen's County (Colonel Dunne), that it was a most ill-advised measure. It was intended to catch the ten years' service men after their periods of service had expired, but those were just the men who were wanted in the militia, and thus having set up an expensive staff to procure men for one service they were about to establish another expensive staff to form an inefficient force. He had been disappointed with the Report of the Militia Commissioners, which did not contain one useful suggestion, and he regretted to hear the Secretary for War express his intention in carrying out future reforms to act upon the suggestions in that Report.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Resolutions read 2°, and *agreed to.*

RESERVE VOLUNTEER FORCE OF SEAMEN BILL.—COMMITTEE.

Order for Committee read.

House in Committee.

(In the Committee.)

Clause 1, (Power to Admiralty to raise "Royal Naval Volunteers," not to exceed 30,000 men), *agreed to.*

Clause 2, (Term of Service shall be five years).

MR. HENLEY thought the words "every fifth years" had better be struck out, and the words "at the expiration of the period of his service" substituted. There was no provision in the Bill, as it stood, for the renewal of the period of five years, and unless the wording of the clause was amended some confusion might arise.

Mr. CARDWELL said, he did not think the wording of the clause gave rise to any ambiguity. Every volunteer would have the option of retiring at the end of five years' service, and of renewing his termof servic for a similar period if he thoughtproper.

Mr. LINDSAY thought it would be unadvisable to make the alteration suggested.

Lord CLARENCE PAGET said, that the Act gave the power to enrol the volunteers for five years, and they were to be called out for twenty-eight days' training in each year. At the end of five years the men had the option of enrolling themselves for a second period of five years. At the end of which second period they might claim such a pension as might be decided upon.

Clause *agreed to,* as were Clauses 3 and 4,

Clause 5,

Mr. HENLEY said, that by this clause, whenever Her Majesty thought fit to call the volunteers into what was called "actual service," the men were liable to have the term of service extended for a period of five years from the date of being called into actual service. This give the Admiralty an arbitrary power to double the time for which the men entered, which was not likely to draw volunteers into the service. In the case of the naval coast volunteers it was provided that they should not be called out unless in circumstances of "imminent national danger." The militia were not to be called upon unless in case of "war between Her Majesty and some foreign Power." He could not help thinking that if they wanted to induce men to enter they ought to introduce the words "unless in case of war or imminent necessity," so that the men might not imagine they were liable to have their term of service extended indefinitely at the mere pleasure of the Admiralty. There was no doubt of the goodness of the scheme, if they could but get men to enter.

Sir CHARLES NAPIER agreed with the suggestion of the right hon. Gentleman.

Mr. LINDSAY said, the men when called out would be on a footing with the seamen serving in the fleet: did the noble Lord by his proposition mean to alter the whole system of the fleet also; and if he did, what would be the advantage of paying men at sea once a week? Unless the noble Lord made the alterations which he had suggested, he would fail to induce the merchant seamen to enter the navy.

Sir JAMES ELPHINSTONE hoped care would be taken to let the seamen understand plainly the advantages held out to them, and that for this purpose the utmost publicity should be given to the terms offered.

Mr. AYRTON said, that as by the 13th clause the Admiralty had the fullest power of framing regulations, he thought the House should not commit itself to the details laid down in the Bill, but should leave them to be worked out by the Government.

Lord CLARENCE PAGET said, one of the objects of the Bill was to give the men the certainty that they would not be called on to serve beyond a certain period, hence the necessity of the details of which the hon. Member for the Tower Hamlets complained.

Mr. HENLEY observed that the hon. Baronet the Member for Portsmouth (Sir James Elphinstone) had advised them not to canvass the Bill very closely, but he confessed that he could not understand it at all. There were so many provisoes in it that all they could tell a man was "you are going into the Queen's service, and you must get out of it as best you can." He complained that the Bill was not clearly drawn, and as men liked to have a definite understanding as to what they were engaging in, and as the success of this measure depended entirely upon its working in the first year, they ought to take great care that it should be so framed that the men could understand it.

Sir CHARLES NAPIER said, he could see no reason at all why the men should not be paid weekly when in port.

Mr. LINDSAY thought the Bill was a miserably ill-concocted one, and it was impossible to understand it. It was much too long in the first place, and a shorter and more intelligible one would be much more likely to be successful. He was sure that the Admiralty would not get the men for the retaining fee proposed. Looking at the whole Bill, he thought it so mysterious in its provisions that they would get no men to enter the service under it. He advised the withdrawal of the Bill altogether, and draw a new one merely to regulate the raising and management of volunteers for the sea service.

Lord CLARENCE PAGET, to meet the suggestion of the right hon. Gentleman (Mr. Henley), proposed the insertion of words, under which the men would only be called out in the event of a national emergency.

Mr. AYRTON said, from his connection with the Tower Hamlets, he had had many opportunities of conversing with men employed on the Thames, who as a body had it in their power to supply a large volunteer force to the navy, and the impression on his mind was that they would not be induced to volunteer under the provisions of this Bill. He should have been better satisfied if the Bill had been drawn more generally, for he was afraid when it came to be worked, that it would not tempt anything like the requisite number of volunteers.

Lord CLARENCE PAGET admitted there were many points in the Bill which had been better left to be dealt with in the regulations that the Admiralty proposed to issue. The measure, however, had been framed principally in accordance with the Act relating to the Coast Volunteer Corps, which had worked extremely well. He submitted to the right hon. Gentleman (Mr. Henley) that, without a clause of the kind under consideration, the Crown would not be able to avail itself, in the event of an emergency, of the services of men who, when that emergency arose, might have served four years and eleven months, and would be in another month entitled to their discharge.

Mr. HENLEY said, the noble Lord would have to catch his hare before he cooked it. For his part, he was afraid volunteers would not be caught in that sort of drag-net clause.

Sir CHARLES NAPIER said, seamen were always suspicious, and he hoped it would be distinctly understood that if those volunteers were called out they would receive their pay weekly, and be allowed to make allotment towards the support of their wives on the very day on which they entered the service, otherwise the poor women would in many instances be forced into the workhouse.

Lord CLARENCE PAGET said, the men, when called into active service, would be placed on the same footing as seamen in the fleet.

Mr. AYRTON said, that Clause 13, giving power to the Executive to draw up orders as to all the terms of service, superseded the necessity for those complicated clauses by which it was sought to regulate the terms for these volunteers.

Clause 5, as amended, ordered to stand part of the Bill.

Clauses 7 and 8 *agreed to.*

Clause 9 amended by the omission of the words "in no case exceed the rate of £5 per annum" *agreed to.*

Clause 10, (Payment of Pensions).

In reply to Mr. Lindsay,

Lord CLARENCE PAGET stated that it was impossible to fix, with any degree of accuracy, the exact amount that would be annually payable for pensions. None would fall due until after ten years had elapsed, and at the end of that period the increase would be in a progressive ratio: allowing for mortality and withdrawal, it was expected that the amount of pensions annually granted would be about £60,000.

Sir CHARLES NAPIER called attention to the fact that the coast volunteers being put into the same situation as the seamen of the navy, by the regulations now existing, if a coast volunteer happened to have a rupture two days after he had joined he might be turned adrift with a gratuity of £6.

Lord CLARENCE PAGET said, it was precisely on that account that the Admiralty did not wish to enter more specifically into the subject of those pensions. They desired to leave themselves free to grant such pensions after short periods of service as the circumstances of particular cases might justify. He therefore proposed to omit the first proviso in the clause, in order to enlarge the discretionary power of the Admiralty.

Mr. HENLEY doubted the propriety of expunging the proviso, as the effect of its omission would be to give a statutory authority to the Admiralty to grant pensions without any limit. The question of pensions would require very careful handling in order to do justice between those men who had been in actual service all the time and those who had perhaps never been called out at all. If the proviso were struck out, some words ought to be inserted as a check to guard the interests of the Exchequer. Perhaps the introduction of the qualifying words, "with the consent of the Lords Commissioners of Her Majesty's Treasury," would be a sufficient restraint upon the power of the Admiralty.

Lord CLARENCE PAGET accepted the suggestion.

Clause, as amended, *agreed to.*

Clauses from 11 to 16, inclusive, were *agreed to.*

Clause 17.

Mr. HENLEY suggested its omission. It proposed the imposition of duties upon the masters of merchant vessels, the justice of which was questionable, and provided for penalties upon the non-performance of those duties; this would make the measure extremely unpopular in the merchant service.

Mr. LINDSAY made a similar recommendation as to a clause imposing a penalty upon a master who could not account for a volunteer who had deserted.

Lord CLARENCE PAGET promised to consider these matters, and said that it was probable these clauses would be struck out on the Report.

Remaining clauses *agreed to.*

House resumed.

Bill *reported.*

UNIVERSITY AND COLLEGE ESTATES ACT (1858) AMENDMENT BILL.

SECOND READING.

Order for Second Reading read.

Mr. HENLEY said, the Bill was one of very great importance, and he trusted it would be postponed until next Session.

Mr. WALPOLE suggested, that the Bill should be read a second time in order to affirm its principle; and then that it should be postponed till next Session.

The CHANCELLOR of the EXCHEQUER acceded to the suggestion.

Bill read 2°.

MILITIA LAWS AMENDMENT BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

Colonel TAYLOR said, he had been informed that the officers of those militia regiments which had been called out for twenty-one days' drill had been charged income tax upon their pay. He was afraid that such deductions from the miserable pay of a militia officer would make the service unpopular.

The CHANCELLOR of the EXCHEQUER said, that the officers of the Revenue Department had no option but to call upon them to pay the income tax on all their incomes; and neither those officers nor himself had the slightest power to grant exemption or order a remission.

Colonel WILSON PATTEN suggested, that the war authorities should carry out a suggestion of great value contained in the Report of the Militia Committee, to secure the best men who had served five years in the militia for the regular force. There were no fewer, he believed than 20,000 who had served their fifth year in the militia, and who might most serviceably be retained for the regular service; though he believed under present regulations they were not likely to be induced to enter the militia again.

Bill passed through Committee.

House resumed.

Bill *reported* without Amendment.

CORRUPT PRACTICES PREVENTION ACT (1854) CONTINUANCE BILL.

SECOND READING.

Order for Second Reading read.

In reply to Mr. Hopwood,

Sir GEORGE LEWIS said, the Act now in force was dependent on the accidental duration of another Parliament, and the object of the present Bill was to continue it for some fixed period next year.

Mr. P. W. MARTIN said, the Act had entailed a great amount of inconvenience and trouble, while it had made the fate of candidates before the Election Committee a perfect lottery. He hoped this would be the last Continuance Bill submitted to the House, and that next year the whole subject would undergo consideration.

Mr. DEEDES said, the present law gave satisfaction neither in nor out of the House.

Sir GEORGE LEWIS was ready to accede to the appointment of a Select Committee on the subject if the course were considered desirable.

Mr. EDWIN JAMES believed that the House would never be thought sincere in its wish for purity at elections until it required from every Member a declaration on oath that he had neither directly nor indirectly incurred other than legitimate expenses.

Mr. MALINS, while admitting the imperfections in the Bill, believed, nevertheless, that it afforded to candidates a great protection against inordinate expenditure. He concurred with his hon. and learned Friend in the necessity of requiring Members to declare that they had not by themselves or their agents been guilty of bribery.

Bill read 2°.

SALE OF GAS BILL.—SECOND READING.

Order for Second Reading read.

Motion made and Question proposed, "That the Bill be now read a second time.

Mr. BAXTER objected that the House had not had sufficient time to consider this measure, which was of great importance, and affected all the great gas companies and gas consumers of the whole country. It involved both inspection and taxation. He complained that the promoters of the Bill had sent a circular to his constituents animadverting upon his conduct in objecting to the progress of the Bill on a previous evening at so late a period of the Session, and calling upon them to use their influence to prevent his opposing the Bill further. He moved as an Amendment that the Bill be read a second time that day three months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words, "upon this day three months."

Mr. MILNER GIBSON said, that all that could be agreed to by the second reading would be that all gas should be regulated by one uniform standard. Any discussion of detail of what was an important measure might be taken in Committee.

Mr. DALGLISH supported the Bill.

Mr. TURNER approved of the principle of the Bill, but there were objections which might be remedied in Committee.

Question, "That the word 'now' stand part of the Question," put and *agreed to.*

Main Question put, and *agreed to.*

Bill read 2°.

WEIGHTS AND MEASURES BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

The CHANCELLOR of the EXCHEQUER explained that the object of it was to provide for re-verifying at certain periods the standard weights and measures kept in the counties and boroughs by comparing them with the original standards kept in the Exchequer. It was suggested, however, that the period should be extended in the case of boroughs from three to five years, and in the case of counties from six to ten years.

Mr. JOHN LOCKE agreed to this Amendment.

Bill passed through Committee.

House resumed.

Bill *reported.*

FIREWORKS ACT AMENDMENT BILL.

COMMITTEE.

Order read for resuming adjourned Debate on Question [1st August], "That Mr. Speaker do now leave the Chair."

Question again proposed.

Debate *resumed.*

Question put, and *agreed to.*

House in Committee.

(In the Committee.)

Clause 1.

The CHANCELLOR of the EXCHEQUER said, that the clause proposed to extend the provisions of the existing law, so as to give power to justices to grant a search warrant to enter any house where fireworks were kept, and, if any fireworks were there found, to destroy them. This was a somewhat arbitrary power, and he was informed by the police authorities that they did not consider it necessary.

Mr. JOHN LOCKE explained that the necessity for the Bill had arisen from the accidents which were lately caused in Southwark and Lambeth by the keeping of fireworks in buildings where it was dangerous to have them.

Mr. EDWIN JAMES objected to the provisions which authorized the seizing and destroying of fireworks.

Mr. MALINS wished to strike out the words "or kept for sale."

Motion made, and Question put, "That the Chairman do report progress."

The Committee *divided*:—Ayes 35; Noes 11: Majority 24.

House resumed.

Committee report progress.

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Saturday, August 6, 1859.

Minutes.] Public Bills.—2° Consolidated Fund (Appropriation); Militia Pay; European Troops (India).

3° Charitable and Provident Societies, &c.; Militia Laws Amendment; Dublin Police; Turnpike Acts Continuance; Sessional Divisions; North Western Territories (British America).

CONSOLIDATED FUND (APPROPRIATION) BILL.

SECOND READING.

Order for Second Reading read.

Sir HENRY WILLOUGHBY said, he

wished to know whether the Bill was printed, and whether it was in the identical form of previous Bills of the same character? He asked this question, because it so happened that on a former occasion a clause was introduced into the Appropriation Act which upset its main provisions, and a promise was then given that in future this Bill should be printed like all other Bills. He also wished to inquire out of what fund and by what authority the sum of £13,000 for costs and damages in an appeal case from the Court of Admiralty at St. Helena, in respect to a vessel called the *Newport*, seized and condemned there, had been paid? He believed that that sum was paid out of the "droits of the Admiralty," and he wished to know whether that fund was dealt with like other public funds? He would next call attention to a matter which it was important for the House to consider. A very great increase had taken place in the funded debt, and the relation of the funded debt to the unfunded debt was materially altered. This had been done without any legislative interference on the part of Parliament, and some measure ought to be passed to prevent any increase of the funded debt without a resolution or an assent on the part of that House. To prove the fact that the funded debt had increased, he might state that in the financial year ending the 31st of March, 1859, the total amount of the funded debt was £790,671,215, whereas, in the financial year ending in March, 1858, the total amount was £783,360,257. Thus, in the year terminating in last March, there had been an increase in the funded debt of £7,310,958. The annual charge of the debt had also increased from £27,660,000 to £27,895,000, or not less than £235,000. The unfunded debt, on the other hand, had been reduced by the amount of the addition which had been made to the funded debt, and the unfunded debt at the end of 1859 was but £13,277,000, as compared with £20,927,000 at the close of the previous year. This was produced by the conversion of unfunded debt into funded debt in a manner which entailed a loss to the nation. Of course, if it were the pleasure of the House to make this conversion it must be done; but let it be done after a discussion and when the will of the House was distinctly ascertained. He should like the Chancellor of the Exchequer to state whether it was intended in the ensuing Session to make any amendments in the law in conformity with the recommendations of the Committee on Public Moneys? At present half the financial system seemed to rest on fiction or on statutes not carried out. He wished to know whether the Chancellor of the Exchequer contemplated any change in that portion of the existing system which enabled the Executive Government, without any authority, to convert the unfunded into funded debt, upon conditions onerous to the public purse? He regretted the absence of the Home Secretary (Sir G. Lewis), who, in the last Parliament, had imputed to a Committee upon which he (Sir Henry Willoughby) had served, with reference to this subject, that they did not know the difference between buying Exchequer Bills at a premium and at a discount. The error was, however, on the part of the right hon. Baronet, and the Report of that Committee showed that the nation had lost upwards of £2,000,000 in consequence of the gigantic system of stockjobbing which had been pursued. In 1844 Mr. Goulburn, who was then Chancellor of the Exchequer, in receiving a deputation on the subject of savings' banks, denounced most strongly the class of transactions to which he was referring, and stated that so far as his influence extended, such proceedings should never occur again. He hoped that the Chancellor of the Exchequer would seriously consider the matter to which he had called attention, for he was persuaded that our system of finance rested upon a very hollow foundation, and that the law, instead of being observed, was in many important respects a dead letter.

THE CHANCELLOR OF THE EXCHEQUER stated that, in conformity with the general practice, the Consolidated Fund Bill had not been distributed, for it was only printed when some change took place in its form, but it could be obtained by any hon. Members at the Vote-office. The other topics to which the hon. Baronet had referred were of very considerable importance. The hon. Baronet had asked whether it was his intention to propose any changes in the law in consequence of, or in conformity with, the report of the Public Moneys Committee. He agreed generally with the hon. Baronet that the whole system of our finance—by which he meant what related to the custody and management of public moneys as distinguished from raising them on the one hand and spending them on the other—was in a state of considerable incongruity, and although we lived in a country which made it a boast that theory and practice never agreed, and ought not to be forced too much in order to make them square with each other, yet certainly the principle was pushed to a very great length with respect to our finances. He was disposed to agree very much in the spirit of the recommendations of the Public Moneys Committee. He would study their suggestions during the recess, and he hoped next Session to be enabled to submit to the House such proposals as might seem desirable. The hon Baronet had raised a specific question of great importance with respect to the powers possessed by the Chancellor of the Exchequer with reference to the conversion and reconversion of public securities—not without the authority of Parliament, for whatever the Chancellor of the Exchequer did was done with the authority of the law—but without the distinct cognizance of Parliament in reference to the particular transactions. He (the Chancellor of the Exchequer) thought, and had expressed the opinion on a previous occasion, that the powers of the Finance Minister in this respect were larger than they need be, and that they ought to be brought within certain bounds. He was not about to enter into a history of the transaction to which the hon. Member had referred, but, in order to judge whether the reconversion of Exchequer Bills into stock had been an operation profitable to the public or not, they ought to know upon what terms the money had originally been acquired when the Exchequer Bills were purchased. He apprehended that the Chancellor of the Exchequer at the time must have found that the course he pursued was more advantageous to the public than the contraction of a loan, In order to form a judgment on the subject, however, a careful examination of the facts would be necessary. He would pronounce, however, no opinion upon the merits of that particular transaction, but he agreed with the hon. Baronet, that it was not desirable that large operations for conversion and reconversion should take place without being brought under the distinct notice of Parliament. The hon. Baronet was a vigilant Member of that House, and was not repelled by the apparent dryness of these subjects from examining them in minute detail; but as that class of hon. Members was very small, he thought it was most desirable that better provision should be made than was at present provided by law for keeping the operations of the Chancellor of the Exchequer under the distinct and habitual view of the House of Commons. He (the Chancellor of the Exchequer) had given some evidence of the sincerity of his opinion on this subject, for on the eve of quitting office in 1855 he had introduced a Bill which he thought would have gone far towards meeting the views of the hon. Baronet. That Bill, however, was not passed, in consequence of the change of the Government. Without giving any positive pledge on the subject, he could only say that he was anxious to do all in his power to place the control of the House of Commons upon a more effective basis.

MR. LAING stated, that the "droits" of the Crown was a fund derived from moneys of persons dying intestate, of convicted felons, and from the seizure of vessels, and other sources. The sum of £13,000, which had been paid out of this fund, was for the costs and damages in the case of "Hopper *v.* the Queen," which arose out of an appeal from the decision of the mixed court at St. Helena in the matter of a slave vessel which had been condemned by that Court. The "droits," of the Crown, like the hereditary revenues of the Crown, presented difficulties in adopting the practice in other cases of bringing the gross receipts into revenue and voting the whole expenses by estimates under the control of the House. At the same time any information respecting the fund could be obtained by any hon. Member who moved for any Return on the subject.

Bill read 2°.

RESERVE VOLUNTEER FORCE OF SEAMEN BILL.

CONSIDERATION.

Order for Consideration read.

SIR JOSEPH PAXTON said, that he entertained some strong objections to this Bill, as he feared, that it would not accomplish the object which the Government had in view; namely, on the ground that its provisions were uncertain and unintelligible, and could not be readily understood by the seamen. He also thought the attempt to induce the merchant seamen to form a reserve force would be more likely to be successful if they relaxed the severity of the Articles of War, and offered inducements to officers of the merchant service to enter the reserve force along with the men. He had had some little experience in organizing bodies of men. During the Crimean war he had organized a body of 4,500 men in a very short period; but when it was proposed that the men should be placed under the Articles of War, they declined to join the Army Works Corps, though they stated that they would have no objection to be brought under the Articles of War in the case of actual service in the field. Much confidence, too, had been imparted to the artizans by the fact of their being accompanied by engineers and other persons in a higher position than those with whom they had usually been associated. Entertaining very strong opinions that the Bill would fail in producing the results which were expected, he regretted much that the Government had not consented to make the alterations to which he had referred.

LORD CLARENCE PAGET said, he could not but admit that the Articles of War were very old-fashioned, and a good many of them were never acted upon, but the propriety of revising those articles had been considered by the former Board of Admiralty, and was under the consideration of the present Board. The question of inviting officers of the merchant service to join the reserve force was one of great importance and ought to receive due consideration. Such a measure would, however, be attended with very considerable additional expense. Of this he assured his hon. Friend, that in the event of any emergency, the Government would rely on the merchant service, not only to provide seamen, but also good officers.

Bill to be read 3° on *Monday.*

CORRUPT PRACTICES PREVENTION ACT (1854) CONTINUANCE BILL.

COMMITTEE.

Order for Committee read.

House in Committee.

MR. DARBY GRIFFITH stated, that the inquiries before the Election Committees during the present Session had shown that the clause in the Act of last year against candidates paying travelling expenses was perfectly useless, and that under it bribery could be perpetrated with impunity. The clause simply stated that it was "illegal" to give money for the payment of travelling expenses, but the Act did not state that such payment was bribery and that it should invalidate any election. The Committees had, in fact, driven a coach and four through the clause. To say that it was illegal to pay travelling expenses was nothing more than might be said of an ordinary assault or any minor misdemeanor, such as giving a man a black eye. Unless the House made travelling expenses bribery they would never put that crime down.

MR. BRADY said, he must enter his protest against this kind of legislation *in toto.* He could only characterize the existing Act as a cloak for covering all sorts of corrupt practices, and thought that it would be better for the present Continuance Bill to drop than to perpetuate an Act of so unsatisfactory a character. He thought that it would be very much better to adopt the plan of having the Members called to the table to state on oath the amount which they had expended, and that they had not committed or sanctioned any bribery whatever at the election. If two or three hon. Members were to be prosecuted for perjury, and sentenced to a few years' penal servitude, the House would soon put an end to the system of bribery.

MAJOR GAVIN said, he thought that if the bribers were to be prosecuted, according to the strict letter of the law, as well as those who had been bribed, such a course would check the practice of bribery.

MR. AYRTON said, that so far from the Act of last year not being sufficiently strict to put down bribery, it was of so stringent a character, and would lead to so much hardship upon hon. Members, if carried out in its integrity, that the Election Committees declined to do their duty in carrying out the Act. If the Act were to be carried out in its stringency, it might be that an hon. Member returned by a very large majority might be unseated if it were known that he had given a pot of beer, or a paltry sum of 5*s.* to a voter on the day of election, although such acts were not done with the slightest wish to influence the return, nor had had any actual effect upon the election.

MR. SERJEANT DEASY observed, that in his opinion the hon. Member for the Tower Hamlets (Mr. Ayrton) was unfair in his remarks on the conduct of Election Committees for refusing to carry out the Act of Parliament. They had put a meaning on the Act which he (Mr. Deasy) considered to be a perfectly correct one.

COLONEL FRENCH said, that the decisions of the Committees were often contradictory, and it was desirable that they should be guided by some general law. The House would remember that after a former election for Peterborough, an hon. Member (Mr. G. Whalley) was unseated because at a dinner which was given after the election in the town which he represented, he had sent two dozen of champagne, That was carrying out the Act in all its stringency which no reasonable man could approve.

Mr. G. CLIVE said, that he believed that some of the disadvantages ascribed to the Act arose from the peculiar construction of the tribunals which administered it. There could be no doubt, however, that the Act of 1854 must be amended during the next Session; and in order to ensure the attention of Parliament to the subject, he would move as an Amendment that the words, "or until the end of the then next Session of Parliament" should be struck out, in order that the period of continuance of the Bill should expire on the 10th of August next.

Mr. HOPWOOD said, he wished to inquire what necessity there could be for this Continuance Bill at all, seeing that the present Act would remain in force until the end of next Session.

Mr. G. CLIVE said, this Bill would provide for the emergency of an abrupt termination of the Session before the usual period in August next.

Bill passed through Committee.

House resumed.

Bill *reported.*

House adjourned at a quarter before Two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, August 8, 1859.

Minutes.] *Took the Oath.*—The Lord Stuart de Decies.

Public Bills.—1ª Turnpike Acts Continuance; Dublin Police; Militia Laws Amendment; Charitable and Provident Societies.

2ª Coinage; Probates and Letters of Administration (Ireland); Police (Counties and Boroughs); Turnpike Trusts Arrangements.

3ª Military Savings' Banks; Universities Incorporation Act Amendment; Income Tax, &c.; Queen's Remembrancer, &c.; County Cess (Ireland) Acts Continuance; Universities (Scotland); Constabulary Force (Ireland); Manufactures (Ireland) Acts Continuance.

Royal Assent.—Admiralty Court; Jury Trial (Scotland) Act Amendment; Diplomatic Pensions; Criminal Justice, Middlesex (Assistant Judge); Pawnbrokers; Boundaries (Ireland); Chief Superintendent (China); Speaker of the Legislative Council (Canada); Militia Ballots Suspension; Court of Probate, &c. (Acquisition of Site) (No. 2); Local Government Supplemental; Colonial Legislatures Power of Repeal; Barbuda Government; Vexatious Indictments.

AFFAIRS OF ITALY.—THE PROJECT OF PEACE.—QUESTIONS.

The Marquess of NORMANBY, who had given notice "To ask a Question of Her Majesty's Government as to the Project of Peace transmitted by them to the Austrian Government previous to the Preliminaries of Villafranca, and to inquire whether there would be any Objection to the Production of any Official Communication from the Secretary of State to Her Majesty's Ambassador at Paris on the Subject," said—My Lords, I believe this is the last occasion during the present Session upon which I shall have an opportunity of calling your Lordships' attention to points connected with our foreign policy. I gave notice the other day of my intention to ask a Question of my noble Friend (Earl Granville) upon one or two points, and my observations, with few exceptions, will be confined to matters connected with the subject to which I have called your Lordships' attention by the terms of my notice. I believe that England is almost the only country in Europe in which any mystery still clings about the nature and character of those propositions which first saw the light under false colours at Villafranca. There they were called propositions of the neutral Powers: all other neutral Governments, whether constitutional or despotic, concerned in this question, save our own, have given explanations in writing and made general disclaimers of all connection with those propositions. The only explanation which has been given in this country was verbal, and was offered in the other House of Parliament, and was certainly somewhat scant. In the absence of any such explanation, upon the Continent they have formed their own opinion upon those transactions, which, I am sorry to say, is not creditable to the professed neutrality of this country, nor to our candour in communicating on the subject with other Governments. It is generally believed now that those propositions were the joint production of the popular diplomatist M. de Persigny and Lord Palmerston. I say of Lord Palmerston, because upon the Continent it is the habit of people, whenever the signature of Lord John Russell is not actually attached to any paper, to say that it is the act of Lord Palmerston, although, of course, we here consider them to be the joint acts of that noble Lord and Lord John Russell. It is supposed that the plan to which I allude originated in the desire of Lord Palmerston to realize, as soon as possible, his Tiverton programme, and that as to M. de Persigny the instructions of the French Government were to keep England as much as possible isolated from other Powers, and to involve her in the largest possible degree in the violation of existing treaties. It never could have been imagined, I think, by the French diplomatists that such a project could at that moment have been accepted by Austria. If I rightly recollect what passed in the other House, we were told then that the propositions were forwarded as the act of the French Government without any opinion upon them being expressed by the English Government. It was unnecessary, I must say, to give any opinion, because all the acts of the present Government and all the despatches written by the noble Lord at the head of the Foreign Department tend to show the greater the sacrifices that could be obtained from Austria the more pleased the Government would be. Those proposals, however, were simply forwarded without comment, a proceeding which led to a natural conclusion on the part of persons abroad, and if there has been any mistake or misapprehension, it is entirely owing to this irregular and unusual act on the part of the Government. It is generally believed that the Emperor Louis Napoleon told the Emperor Francis Joseph that England had cordially assented to the propositions of M. de Persigny, and unless my noble Friend can assure me that there is some authentic document on record to the contrary, I must say I think the Emperor Napoleon was justified in making such an assertion; I think, too, on the other hand, that the propositions having been sent by England to Vienna, it was natural that the Emperor Francis Joseph should give credence to that statement. What distresses me is, that from the first moment the present Government came into power there has not been any evidence of that *bonâ fide* neutrality which this country professed to maintain. The noble Lord at the head of the Government, upon the night before the division which overthrew the late Ministry, told the House of Commons he relied as much upon the foreign policy of Lord Derby's Government as upon their internal administration as grounds for a vote of want of confidence. Immediately after the division official documents appeared which certainly were very creditable to the late Government, and establishing the fact of a complete and *bonâ fide* neutrality. After those despatches had been produced, what said the noble Lord now at the head of the Government in taking office? He said, "As to foreign policy, our path is traced out for us; we shall follow in the footsteps of our predecessors." Whatever may have since happened these words remain, and, although they may not amount to a distinct approval of every act of the late Government, at all events they mean this—that the late Government had *bonâ fide* carried out the principle of neutrality, and that the present Government were resolved to persevere in the same course. But what is the fact? That professed neutrality has been repeatedly violated. Such is, I believe, the opinion of other Powers. Upon this subject I will read an extract from a despatch written by the Prussian Minister at Berlin to the Prussian Envoy at Vienna, which has not yet been published in the English papers. The Prussian Minister in this despatch defends his Government against the charge of having abandoned Austria, and of having supported, or as some said, originated this proposal. He says:—

> "According to what the Comte de Rechberg has told your Excellency, the Cabinet of Vienna had been informed by the French Cabinet of the intentions of the neutral Powers. That which was presented on the part of France as the condition of mediation by the great neutral Powers was nearly that which Lord John Russell, in a despatch addressed the 22nd of June to Lord Bloomfield, presented as the basis of English policy. In presence of the known predisposition of the Cabinets of London and of St. Petersburg, one might admit as a fact, that more unfavourable conditions might be expected from the common intervention of the three Powers than those to which the Emperor Napoleon consented at Villafranca.
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> "It is hardly necessary for me to remark that the despatch quoted by the English Minister for Foreign Affairs shows evidently that the English Cabinet regard the pending question differently from the King's Government. I think, besides, that I may consider it as a course of conduct that differs widely from the ordinary usages generally followed during a war—that one of the belligerent parties desires to be informed by the other of the intentions of the neutral Powers.
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> "If I am well informed, the Comte de Rechberg must, at least, by this time, be convinced that the project of mediation which it was pretended had been accepted by the three neutral Powers, and which consists of seven points, was not an English project, but a French project. At any rate, it was not till several days after the signature of the peace that we received the first news of it."

These extracts, my Lords, clearly show a difference in the policy of the Court of Prussia compared with the policy of England, as laid down in the despatch of my noble Friend the Secretary for Foreign Affairs. This is somewhat singular, for we were told that Lord John Russell would establish an intimate understanding between the Cabinets of Prussia and England. Your Lordships may remember we had a discussion in this House as to a certain speech made by the Minister for India under the present Government, who at his election boasted of the effect of the intervention of England with respect to the policy of Prussia. Not satisfied with persuading the £10 householders of Halifax that we had now got a Government which could preserve India, he boasted that he could also influence the whole of Central Europe. But, my Lords, the manner in which M. de Schmitz, in the extract I have just read, speaks of the despatch of my noble Friend (Lord John Russell) to Lord Bloomfield, shows that the noble Lord had established a complete separation in policy between ourselves and that country, with which on every ground it is our interest to be most closely allied. I hold in my hand this first despatch written by my noble Friend; I will not now repeat the impression it made on my mind, but that impression was a painful one. It has been often commented on. During a long life of official intercourse with my noble Friend, marked by community of action and private regard, I have very seldom had any differences of opinion with my noble Friend. But, I must say, the whole tone of this despatch addressed to the Court of Prussia, establishes in my mind a wide distinction between the policy which my noble Friend suggested and that which I should have thought tended to the honour, dignity, and interests of this country. I cannot help reading a passage from another despatch of my noble Friend (Lord John Russell) to Baron Scleinitz, dated July 7, in which he says,—

> "Her Majesty used her utmost endeavours, consistent with peace, to maintain the faith of treaties. At the last moment Austria, by an act of supreme imprudence, began the war and invaded Piedmont. From that time everything has been changed. Austria overstepped the frontier laid down in the treaties of 1815. It could no longer be expected that those treaties would be regarded as binding by France and Sardinia. Italy has been roused to war, and is taking her part in the struggle."

It appears to me that, in the first place, there is a considerable omission to this despatch. We know that Austria was guilty of an act of imprudence. But in what did that act of imprudence consist? In giving a short notice that unless something were done by Sardinia she would consider that a cause of war had arisen. And then my noble Friend talks of Austria having commenced the war, and having invaded Piedmont. But did nothing pass between that act on the part of Austria and the invasion of Piedmont? Yes, my Lords, Austria accepted the offer of the mediation made to her by England. Austria kept back her forces for some days, because an offer of mediation was made by England; but which offer was rejected by France and Sardinia. I hold, therefore, that the statement put so concisely is not accurate—that the war arose from that single act on the part of Austria. I must also remind your Lordships, that before Austria had sent a single soldier across the Ticino, the Grand Duke of Tuscany had been dethroned through the direct intervention of the Sardinian Minister there. Massa and Carrara, too, were taken possession of by Sardinia, and the Government in those places had been overthrown. The French fleet, too, had arrived at Genoa before a single Austrian soldier had crossed the Ticino. By these acts on the part of Sardinia, the ally of France, a legitimate cause of war was created. We must recollect that one of the principal points which were to have been discussed in the proposed Congress was to find some substitute for the separate treaties for mutual defence which existed between these smaller States and Austria — but whilst they were still in existence Austria was bound in honour to consider all those violations of the rights of her weaker neighbours, on the part of Sardinia, as an unavoidable reason for declaring war. So that my noble Friend's statement that the "extreme imprudence of Austria" was the cause of the war is an error of fact. I must now state what I considered to have been an error of inference on the part of my noble Friend. He says that because the Austrians stepped over the frontier, having been provoked to war, therefore the Treaties of 1815 were abrogated, and "it was no longer to be expected that they would be regarded as binding." But, my Lords, this is not the first time that similar transactions have occurred in Italy. I remember to have taken a considerable although not an immediate part in what passed in the year 1848 and 1849. Did not Sardinia twice invade Austria during that period? Did she not in 1849, without any notice, invade Austria, and did she not meet with what she richly deserved for her most unjustifiable invasion — such a defeat as placed her entirely at the mercy of Austria? The noble Lord now at the head of the Government was then Foreign

Secretary, and what was the argument he used to Austria? He said, "You must recollect that although you have been provoked, and although the conduct of Sardinia is not justifiable, yet that the settlement of that part of Italy is a part of the treaty arrangement of Europe. I, therefore, expect that you will not seize Alessandria, or any other part of the Sardinian dominions." I thought that course was dictated by good reason and sound policy. But, my Lords, I say that the feelings and policy of England on such subjects ought to be consistent and founded on some known principle. Our principles ought to be known and acknowledged, and those which we apply to one Power we ought to apply to every other. Therefore, my Lords, I say the despatch of my noble Friend contains both an error in fact and an error in reason. I must always do justice to the correct, the noble impulses of my noble Friend now at the head of Foreign Affairs; but I must tell him now, as I have told him before, that he has taken a one-sided view of the question. The information he derived from his residence in Italy was derived from a very narrow circle. They were no doubt very intellectual and clever enthusiasts, but not able to conduct such events as are now passing. They have originated revolutions before this, but they were never able to bring one to a satisfactory conclusion; and I very much fear that while I speak they are at this time liable to be overborne and displaced by that party whose influence over the masses is not, I think, correctly estimated in England — the Mazzinian party. I understand that M. Mazzini has at this moment issued a proclamation by which he is exciting the whole of Central Italy. In it he says he is glad the Sardinian commissaries are withdrawn, because now the whole people of Central Italy will be able to declare its wishes. I have only seen passages from this proclamation, because the Italian papers do not dare to print it *in extenso.* I believe this proclamation has produced an impression likely to be dangerous. My noble Friend alluded in his second despatch to the plan which I think then first arose of a confederated combination of the States and Cities of Italy. My noble Friend says,—

> "It is doubtful, very doubtful indeed, what may be the result of the well-considered deliberations of the Tuscan people."

My information would lead me to believe that what really is doubtful is whether there could be any well-considered deliberations at all in that quarter. The agents of the Mazzinian party there do not desire the annexation of Central Italy with Piedmont, and the government there is still conducted in the same spirit, and not only in the same spirit, but with increased vigour in the way of intimidation. With respect to that, in my opinion, most ridiculous notion that the Grand Duke had given sealed orders to bombard Florence, I told your Lordships on the first day of the Session that I had thought it my duty, considering the impression which that report had made in this country, to apply to the highest authority to ascertain really how the matter stood, and that Prince gave me his word of honour that no such orders were ever given. I had his authority for stating that. When the allegation was latterly repeated, I was, indeed, surprised on what futile evidence that charge was made; and here, as a matter of personal justice to Signor Peruzzi, from whom I have received a letter on the subject, and who is, I believe, a very respectable gentleman, though one holding very extreme opinions, I think it right to say that what I had stated I only repeated as "currently reported" in Florence that he had at first objected to the charge as one that could not be sustained. He denies that he had any difference of opinion with his colleagues on the subject; of course he has a right to the full benefit of that denial. My correspondent had mentioned what was supposed to have been his first impulse as to his credit, and all I meant to convey in respect of him was that he gave a too easy credence to the charge on very unsubstantial evidence. I will just read a few lines from the memorial of the Provisional Government to show on what sort of evidence this charge against the Grand Duke rests:

> "There existed in the fortress of San Georgio, commonly called the Belvedere, a secret and sealed circular of general orders, sent from the General to all those in command in August in the past year. At half-past eight o'clock in the morning of the 27th of April, the Archduke Charles, second son of Leopold II., came to the above-named fortress, convoked the officers, and told them he was the bearer of a letter from the General-in-Chief (Ferrari), in which he ordered the circular to be opened already sent. The paper was opened, and it was found to contain preliminary instructions for an attack against the city. These instructions were completed by word of mouth by the Archduke Charles, who concluded by asking the officers what ammunition they had, and how and what artillery they could dispose of. The commander of the fortress with respectful firmness replied, explaining to the Archduke Charles that while he and his company

would without hesitation expose their lives to protect the safety of himself and all the Royal family, they would refuse positively the idea of attacking their own citizens, guilty of nothing more than a generous sentiment of nationality that the army itself would consider it glorious to partake."

I cannot see one word in that to justify any one saying that the Grand Duke had given any such orders as have been imputed to him. The orders were general. I speak in the presence of several noble Lords who are military officers and who will, I think, bear me out when I say that it is a necessary thing to give such general orders for the conduct of the troops under certain circumstances. As a numerous mob had occupied the streets of Florence the night before, the inquiry of the Archduke Charles seems to me to have been the natural preliminary to the possible necessity for defence against armed attack. I take it the orders were general orders issued in preparation for defence. Who could ever imagine that in the month of August last — these orders were dated the 8th August — when everything was tranquil in Florence, the Grand Duke would place sealed orders in the hands of any one giving directions for such a purpose as the destruction of his capital. If there were any such orders let those who make the charge produce them. If there is anything in those general orders of the 8th of August warranting the charge that the Grand Duke had given directions to bombard Florence, I cannot understand why they should be witheld. I therefore leave this subject in your Lordships' hands, by repeating the positive contradiction on the part of the Archduke that any such orders were given. What could possibly be the motive of the Grand Duke of Tuscany to bombard the city of Florence? So much with respect to that. But I must say, from the information I have received from Florence, all goes to negative the suggestion of any such motive. And I must also say that so completely is everything forbidden to circulate there, which is contrary to the feelings and wishes of the present Government, that it is necessary to have recourse to private letters. In such a case one cannot always give names; but my information is on good authority, and from that information I learn that intimidation is resorted to to a great extent. With respect to the army—the greater part of the army that was at first under orders to return to Florence — I am told that after one detachment had arrived the Government rather distrusted the disposition of the troops; and having heard that there was a great disposition on the part of those troops to side with the Archduke, the order for their being stationed there was rescinded. Again, two Tuscan officers, Majors Bevilaiqua and Mori, have been arrested, and are at this moment confined in a fortress for speaking in public in favour of the Archduke Ferdinand; and within the last few days I hear two other officers have been arrested for speaking in a *café* in his favour. There is another very remarkable thing in connection with the expression of public opinion in that part of Italy. I understand that by the Election Law of 1848, the whole rural population as a class is excluded from the franchise. Your Lordships are aware that this rural population is not composed of serfs or boors, but consists of a most intelligent and well conducted class of people. The *metayer* system prevails. A *Podere* or farm is generally as much as one family can cultivate. This family often consists of several married sons with their families, who inherit the same large farmhouse and share the produce. There is no provision, if I am not much mistaken, in the election law, to admit all this large majority of those who cultivate the soil and are supported by its fruits. And if these elections are to decide upon the future fate of Central Italy, why should the qualifications to vote be so different in one Duchy and in another. In Modena the decision is to be by universal suffrage, with the conditions that the voters shall be able to read and write. It would be well if they added a third condition to the exercise of the franchise, namely, that they should know arithmetic; for if they did they would be able to draw a distinction between a people that are taxed at the rate of 5 per cent and a people that are taxed at the rate of 50 per cent. The use I would make of my knowledge of the present state of things in Italy would be to urge another argument against England mixing herself up in these differences. We have been already informed by Her Majesty's Government that if the conditions of the Treaty of Villafranca are to be adhered to the States not concerned would not agree to be called together to register them. One of the plans is to abolish all distinction between the different races in Central Italy. If such should be the decision of the assembly collected so hastily together, and under such unusual circumstances, let there at least be an opportunity given to those who have been hurried into those decisions to reconsider them. Do not let us confirm, by the solemnity of a European Congress, those decisions which I believe would be found to have been framed upon a delusion, and to have been accompanied by undue influences. I press this opinion upon your Lordships at this moment because Parliament is about to separate. The long and close experience I had of the conduct of the noble Viscount in Foreign Affairs, induced me on the first day of the Session to declare I never again would have the slightest confidence in him as Minister. I regret to entertain such an impression, having known the noble Viscount for so long a time, and believing him to be justly popular in social relations. I am not, however, conscious of entertaining any serious differences of opinion upon general questions with the other Members of the present Administration, many of whom I am glad to see for the first time seated upon the Ministerial benches. My opinions upon these questions I confess are strong, and a sense of duty impels me to express them now, feeling that this is a moment most threatening to the fate of the country. I cannot, therefore, sit down without impressing upon my noble Friends near me the necessity of taking care that during the coming recess nothing shall be done in relation to this matter without the sanction of the united Cabinet. I may remind my noble Friends of what passed at the commencement of the Session of 1852. Without referring to individuals too particularly, I may say that I hope nothing will be left to irregular action in foreign affairs. I do not wish at present to revive the recollection of events that seem to have been forgotten sooner than might have been expected, although they remain matter of public record; but my noble Friend the Foreign Secretary seems to have a different view of the conduct of individuals in connection with foreign affairs now from that which he entertained then. The noble Marquess then asked whether there was any objection to lay on the table any official communication that had been made to our Ambassador at Paris, as to the effect of the proposals transmitted to the Austrian Government.

Lord WODEHOUSE said, he hoped the noble Marquess would forgive him for answering the question he had put instead of the noble Earl (Earl Granville), inasmuch as the question which had been put related to the Department with which he was connected. From the Notice which the noble Marquess had given he had not anticipated that he would have gone into a very interesting but very discursive discussion on the affairs of Europe in general and Tuscany in particular, and therefore he would not follow him into that wide field; but with regard to the propositions transmitted by his noble Friend the Secretary for Foreign Affairs to the Austrian Minister, he would make a very simple statement of facts—and indeed they had already been described in "another place"—which would, he thought, dispel some of those illusions under which the noble Marquess, with others, appeared to be labouring. Some days before the conclusion of the Peace of Villafranca, the French Minister gave to his noble Friend the Secretary of State for Foreign Affairs, a statement of the bases on which the Emperor of the French would be willing to treat with the Emperor of Austria. His noble Friend received those bases, but stated to the French Ambassador that, in transmitting them to the Austrian Minister, he would not attempt to offer any opinion on them, nor to give any advice with respect to them on the part of Her Majesty's Ministers. His noble Friend did not believe that the time had then arrived for making a proposition as to any terms of peace which would be likely to conduce to any lasting arrangement: his noble Friend, therefore, in placing in the hands of the Austrian Minister the paper containing these terms distinctly stated that Her Majesty's Government did not express any opinion, and did not give any advice as to their acceptance or as to any negotiations being commenced with respect to them. Count Apponyi transmitted this document immediately to the Austrian Government, and an answer was received from the Government to the effect that the terms were unacceptable; and that answer was communicated by Count Apponyi to his noble Friend the Secretary of State for Foreign Affairs. His noble Friend communicated the reply which he had received to the French Ambassador; and that was the whole of the action on the part of the Secretary of State for Foreign Affairs and of Her Majesty's Government with regard to those bases of peace. But, as considerable misapprehension had arisen on this subject, he might add that no communication was made by his noble Friend regarding the bases of peace given to him by the French Ambassador to either the Courts of St.

Peterburg or Berlin. It was a mistake, therefore, to suppose that any bases of peace had been agreed on by the three mediating Powers. His noble Friend considered it right towards the Austrian Government, not to withhold from them these proposals in the hope that a stop might be put to the effusion of blood which at that time seemed likely to continue, and had therefore made himself the channel of communicating them to the Austrian Government, but without expressing any opinion whatever on the terms that were proposed; and he did not think impropriety of conduct could be attributed to his noble Friend by any one who was anxious to see the war brought to a termination. Having made this explanation, he might be permitted to add that, his noble Friend the Foreign Secretary communicated with Her Majesty's Legation at Vienna, and directed that an explanation should be given to Count Rechberg as to all that had taken place. That Minister received the explanation in a very friendly spirit, and stated that it was perfectly clear and satisfactory—so that he (Lord Wodehouse) was not aware that any misunderstanding now existed on the subject. As regarded the production of the paper asked for by the noble Marquess, he thought the House would agree with him that it was extremely inconvenient that any separate papers with regard to these important transactions should be produced. The peace of Villafranca was not yet concluded—the preliminaries only had been agreed to. If, hereafter, any communication of papers to Parliament should be made on the whole subject of these negotiations, no doubt those bearing on the special point to which the noble Marquess had referred would be laid on the table of the House together with the other documents. He would not follow the noble Marquess into the great number of other matters to which he had alluded, although not, strictly speaking, contained in the Question which he had put. But his noble Friend had praised very highly the neutrality which had been observed by Her Majesty's late Government. The present was not an occasion when he thought it at all necessary to canvass the different acts of the late Secretary for Foreign Affairs, who was not then in his place; but he certainly thought that if the neutrality observed by the late Government was not more conspicuous than that of his noble Friend, it certainly was not of a very strict or severe character. His noble Friend (the Marquess of Normanby) had in one part of his speech devoted himself to what he no doubt thought a most successful demolition of the Provisional Government of Tuscany. It certainly was not his intention to justify the acts or to make himself the advocate of the Provisional Government, neither did he intend to pronounce any condemnation upon it. Her Majesty's Ministers observed with complete impartiality all that was taking place in Tuscany; and it was not at all desirable that he should comment at length on acts which had only taken place within the last few days. His noble Friend had also returned to a matter which he had thought quite exhausted, namely, the statement made by the right hon. Gentleman the Secretary of State for India with regard to neutrality; but he imagined that the debate which had already taken place in the House must have satisfactorily disposed of that matter. Then after commenting on the despatch addressed to the Prussian Government as to which he thought it had been shown in a late discussion that the conduct of the present Government had not been very unlike that of the late Ministry, the noble Marquess had criticised at considerable length a despatch of Lord John Russell's, and dwelt on an expression which it contained relative to the "extreme imprudence" of the Austrians in crossing the Ticino. There, again, he would rather abstain from entering into a complete discussion of that very interesting event in the late campaign; as to how far Austria was or was not justified in taking that particular step at the moment which she did, as to how far previous provocation had been given, he should express no opinion; but he would remind the House and his noble Friend that on this point the late Government had expressed an opinion not merely as strong as that expressed by his noble Friend the present Secretary of State, but a great deal stronger. And he would say that in his opinion that expression of opinion on the part of Her Majesty's late Government was infinitely stronger than the occasion required, and one which most certainly had given considerable umbrage to the Power to which it was applied—a Power to which this country was allied, and with which it was on terms of the strictest amity. The noble Marquess had also referred to his having had placed in his hands a document which the Turin journals stated to be a proclamation of Mazzini, and to the strong terms in which the Austrian Government was condemned in certain newspapers. He must say that whatever opinion the House might form of the particular policy which was followed by Count Cavour and the Government of which he formed a distinguished member, they could not withhold their admiration from the constitutional party in Sardinia, for having been the chief instrument in counteracting those designs of the partizans of Mazzini which all right thinking persons so justly deprecated. He was quite certain that the fall of constitutional government in Sardinia would be the signal for a renewal of those attempts which had paralyzed the exertions of Italian patriots for years back, and had made all stable government in that country impossible. He did not shut his eyes to the faults of Sardinia ; but his noble Friend, in giving vent to his horror of the Mazzini faction, ought to be the last man to regard with severity the acts of a Government which, whatever might be its merits or demerits, had been the instrument of establishing constitutional government in Piedmont and of inculcating constitutional maxims throughout the rest of Italy. He did not know there was any other point in the speech of the noble Marquess that he was called upon to notice, but if further information were desired he would be prepared to give it.

THE MARQUESS OF NORMANBY explained that what he had said about the despatch of Lord John Russell was, that it was inaccurate in omitting all mention of what had occurred between the announcement of the intention of Austria to commence the war and the passage of the Ticino. He now wished to ask his noble Friend the President of the Council, whether the transmission of the French proposals to Austria was or was not the act of the Cabinet. It was a most important act, and one which he imagined would not have been done without the Cabinet being consulted.

EARL GRANVILLE: My Lords, the noble Marquess seems anxious to advise the Cabinet. I assure the noble Marquess that the Cabinet is quite aware of the responsibility which attaches to its deliberations, but then of those deliberations I beg to tell the noble Marquess it must itself have the conduct. I very much doubt whether the noble Marquess has the slightest right to ask such a question ; but if it gives him the smallest satisfaction, I have no hesitation in saying that it was by the united act of Her Majesty's Cabinet that we sent the French proposals to Vienna ; and that in doing so we, in my opinion, took the only proper course. When the Government of France, one of the belligerents, put into our hands the terms of peace, we should have done very wrong to refuse to forward those terms ; and it would have been equally wrong if, thinking that they were unlikely to be accepted by Austria, we had adopted any course but that which Lord John Russell pursued with the entire assent of the Cabinet, placing the terms in the hands of the Austrian Minister, telling him exactly the circumstances under which they had been communicated to him, and impressing upon him that he had no advice whatever to offer to the Austrian Government with regard to them.

THE MARQUESS OF NORMANBY said, he had asked the last question because of the great interest felt on the subject throughout the whole Continent of Europe.

ENDOWED SCHOOLS BILL.

SECOND READING.

Order of the Day for the Second Reading read.

LORD CRANWORTH in moving the second reading of the Bill, briefly stated to the House the facts of the Ilminster case, and the decision of the Lords Justices, that Dissenters were not eligible as trustees for that school. From that decision an appeal was made to their Lordships which had not yet been heard. This case and others which were of a similar character had called attention to the propriety of making some alteration in the law. Under these circumstances, he and a noble Friend of his had thought of introducing some measure on the subject; but in the meantime a Bill was brought into the other House by the hon. Member for Swansea (Mr. Dillwyn) which was referred to a Select Committee, one of the most active Members of which was the late Solicitor General, and on the part of the Government there was the Vice President of the Committee on Education, and besides them there were Lord Stanley, Sir James Graham, and several other persons whose character and station demanded respect and attention. They considered the Bill with such extreme care and attention, and altered it so much, that when it came out of the Committee there was not a clause of it remained the same. The hon. Gentleman who had charge of the Bill, in consequence, withdrew it altogether. In that state of things several persons connected with the Ilminster school, feeling that what they were fighting for was a national question, came and consulted him as to the course it was best for them to take to attain their object. He looked at the Bill as it came from the Select Committee, and it appeared to him to be a rational Bill, and only defective in one particular. The Bill first provided, that wherever in the last twenty-five years it had been the practice in any of these charities to appoint Dissenters trustees, that practice should be lawful, unless there was in the original deed of foundation something expressly forbidding it. He owned he thought that did not go far enough; because if in the Ilminster case, where the trustees were now all Churchmen, no Dissenters were appointed for the next twenty-five years, such lapse would prevent any being appointed in future; and that was the reason, as he understood, of the hon. Member withdrawing the Bill. But there was another clause which related to the children to be educated in the schools. It had not been the practice in schools of this kind to insist on the children of Dissenters going to church with the other children; but the Bill as it came from the Select Committee guarded most scrupulously against any possible abuse in this respect, for it provided that in any scheme which was to be made under the sanction of the Court for the constitution of an educational charity, it should be lawful for the Attorney General, or any person interested in the charity, to apply to the Court for its sanction, and there should then be introduced into the scheme what was called "the conscience clauses"—that if the parents of a child wished him to have the benefit of the school without being taught the doctrines of the Church of England, he might do so. Considering that this Bill had substantially received the sanction of the House of Commons, and that some legislation on the subject was urgently needed, he had ventured to reintroduce the Bill in their Lordships' House, and he trusted their Lordships would sanction its principle by reading it the second time. They ought to treat these as national institutions, and there was no reason in the world why 300 years after their establishment they should feel bound by the exact words of the founders, who, if they had lived in these days, would probably have desired that the school should be open to all. If this Bill were passed before the prorogation, it would be a great boon; but if not, he thought that this discussion and any expression of opinion on the part of their Lordships would have a good effect.

Moved, That the Bill be now read 2^a.

Earl GRANVILLE agreed with the noble and learned Lord that the present state of the law on this subject was such as required amendment. The noble and learned Lord had stated what had passed in the Committee of the other House on the subject, and the general concurrence of opinion with respect to it by the members of that Committee, among whom was the right hon. Gentleman who represented the Government. The fact of the noble and learned Lord having looked over the Bill, and having brought it forward, went far to convince him that it was a Bill which it would be desirable to pass. On the other hand, it was certain to give rise to considerable discussion, and considering the late period of the Session there was not the slightest chance of passing it through the other House. Though some Dissenters were in favour of the Bill there were others who had strong objections to it in its present shape. He did not say that the expression of the opinion of the noble and learned Lord would be of no use in the matter. On the other hand, it was hardly desirable that their Lordships should be committed to a positive opinion on the Bill at present. He therefore thought the noble and learned Lord had better abandon the second reading for the present.

The Bishop of LONDON said, although it was now proposed that the Bill should be withdrawn from the second reading, still he thought it desirable, in reference to future legislation, that they should understand distinctly what was the meaning and intention of the measure. Speaking in his individual capacity, he fully concurred in the statement that the difficulty which had arisen in the Ilminster case had better be settled, and though it was a considerable concession on the part of the Church of England, yet he thought that that concession had better be made. He did not know that the grievance of the complainants was, after all, very great. The grievance was that certain persons had got into a position which the law did not allow them to occupy; the Judges decided that they ought not to be there and they had been compelled to withdraw from that position. That seemed hardly to be a very great grievance. He looked, he confessed, with a little suspicion on these grievances of their Dissenting brethren. It was often an admirable thing for a person to have a grievance, and he believed that the prosperity of many persons in the world had arisen from having got a grievance. But he did not think that their Dissenting brethren had in this instance got a good grievance; and, being dissatisfied with having so few grievances, they seemed determined to make the most of the few they had, and to get a remedy which went far beyond the grievance complained of. With respect to the present Bill, if the noble and learned Lord had confined himself to the clause which adopted the twenty-five years' prescription, he thought that there would have been no opposition to it; but the other clause seemed to demand very serious consideration. In the Petition he had laid on the table from the Society for the Promotion of Education among the Poor in the Principles of the Established Church, the petitioners stated their conviction that that particular clause was likely to lead to the destruction of their society. The noble and learned Lord in his speech treated this question as one simply concerning those old foundations made at a time when there was no Dissent in the country. Now, there was nothing in the Bill to restrict it to these old foundations. It was a Bill providing that every endowed school in the country might have this "conscience clause," as it was called, introduced into the trusts. The noble and learned Lord said that the "conscience clause" would be introduced merely when a scheme was applied for by the Attorney General; but it struck him that any single person who considered himself interested in any endowed school in the country might make it imperative on the Judges to introduce it. If so, it altered the general view of the matter very greatly, and the National Society having considered the subject with the assistance of high legal authority, with the aid of Judges of the land and others, came to the conclusion that it did appear that any person applying to the court might force this clause to be introduced into the management of any of our endowed schools. Then came the question as to what was an endowed school. A school had an endowment, he presumed, which possessed a house of the value of £2 for the schoolmaster, or which had a field given it by the clergyman of the parish. An endowed school was a school with an endowment, however small. There were 4,000 endowed schools in this country, and by far the overwhelming majority of the endowments varied from £5 to £10 a year. Now, as no school could be conducted for £5 or £10, there were added to these endowments very large subscriptions, on which depended the whole usefulness of the schools. A great number of these subscriptions was raised in connection with the Society for the Education of the Poor in the Principles if the Established Church, and great anxiety and confusion would be the result of the 1,500 endowed schools in union with that society should come under the provisions of the present Bill. It might be asked what great harm would follow, as the proposition was merely that that should be done by law which was done already in many cases voluntarily—namely, the introduction of the children of Dissenters to the schools without their being compelled to learn the formularies of the Church of England. But it was one thing to do a matter of that kind voluntarily, and another to have it forced on them compulsorily by Act of Parliament; and the members of the society which he was called to represent on this occasion, having seriously considered the subject, believed that if the Bill passed exactly in its present shape, it would create such alarm among their subscribers—many of whom were persons who held strong opinions on the subject of Church authority—that there really would be an end of the Society. He believed that his noble and learned Friend had no intention in the slightest degree to interfere with the schools of the National Society, but this only showed the inconvenience of introducing such a measure at a period when it could not be properly considered. The clergy of the Church of England would like to have the subject more completely examined, and the important questions connected with it taken more fully into consideration by their Lordships' House. If it were desirable that all the schools in England—for it was of no use talking about endowed schools only—should have what was called a "conscience clause" introduced into their management, by all means let it be done; but let it be done after a very careful and deliberate consideration of the whole question. This was a most important question. He believed that no fewer than thirty-five petitions had been presented by the noble and learned Lord for removing these grievances, but from what he had seen in the organ of a certain society for agitating the country about the grievances of Dissenters, by giving lectures and getting up petitions, he did not think these grievances were so great as they might at first sight appear to be from the number of the petitions; and however great the grievance might be, the remedy applied to the malady was exactly one of those which were calculated to put the patient in a far more robust state of health than he enjoyed before the malady assailed him.

LORD KINGSDOWN said, he did not affect to know what effect the introduction of this Bill would have on the other House of Parliament, but he thought it would be far better for the noble and learned Lord at the present moment to content himself with the expression of opinion which he had elicited, and not to attempt to press the matter on Parliament during the present Session.

THE LORD CHANCELLOR, while concurring in the expediency of not taking the second reading of the Bill, could not help expressing pain at some of the sentiments which had fallen from the right rev. Prelate with regard to his Dissenting brethren. As regarded the Bill itself he believed it had received the fullest and best consideration by the most learned and able men representing both sides of the question in the other House. It was true that the wishes of the deceased donor should be respected; but he believed that if the founders of these schools were alive now, they would be willing to accede to the proposition now made. But, under all the circumstances, he would advise his noble and learned Friend not to press the second reading of the Bill. Before he sat down he must express a hope that the sentiments of the right rev. Prelate were not those generally entertained in the Church. He himself thought that legislation on this subject was indispensable; for if the law remained unaltered, children might be prevented from attending any of these schools unless they conformed strictly to all the rites of the Church of England; and it would be a cruel thing that Dissenters should be prevented from having the full benefit of those institutions which were meant for all.

LORD REDESDALE thought that the Lord Chancellor had not quite accurately represented what the right rev. Prelate had said. He (Lord Redesdale) understood him, not to object to the principle, but only to some parts of the measure; one of his objections being that there was no definition of what was meant by the term endowed schools. This phrase, if unlimited by any definition, would apply to many modern schools, and in reference to which a "conscience clause" might be applied for; and with respect to the observation of the Lord Chancellor, that deceased donors, if now alive, would not object to the proposed change, it must be borne in mind that the Bill at once affected living donors. He thought that there was in the Bill a great deal of matter which would form a good foundation for a future measure, but that the details were faulty.

LORD CRANWORTH believed that he had no cause for regret in consequence of having brought this matter before the House, for he thought that there was not an imaginary, but a real practical grievance, pressing hardly upon a great many persons. Under the circumstances, and with this general expression of opinion in favour of the principle of the Bill he did not think it necessary to proceed further with the measure during the present Session.

Motion (by Leave of the House) *withdrawn;* and Bill (by Leave of the House) *withdrawn.*

House adjourned at half-past Seven o'clock, till To-morrow, half-past Ten o'clock.

HOUSE OF COMMONS,

Monday, August 8, 1850.

MINUTES.] NEW WRITS ISSUED.—For Bodmin *v.* William Michell, esquire, M.D., Manor of Northstead.

PUBLIC BILLS.—2° Marriages (Lisbon).

3° Reserve Volunteer Force of Seamen; Government of India Act Amendment; Reserve Force; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Inclosure; Poor Law Boards (Payment of Debts); Law of Property and Trustees Relief Amendment; Medical Acts Amendment; Weights and Measures.

HUDDERSFIELD ELECTION.—REPORT.

House informed, that the Committee had determined—

"That Edward Aldham Leatham, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield.

"And the said Determination was ordered to be entered in the Journals of this House."

ARMY SURGEONS.—QUESTION.

Colonel **DUNNE** said, he rose to ask the Secretary of State for War why men who have received the legal right to practise surgery and medicine from the Royal College of Surgeons in Ireland are excluded from becoming candidates for the medical appointments in the Army; also why the Surgeons of Cavalry are charged forage money for their horses, while those of Infantry are exempt from that charge; and also whether there will be any objection on the part of the Government to grant to those deserving Medical Officers who have retired from the Service the same additional remuneration which will be given to those who are at present serving on their retirement?

Mr. **SIDNEY HERBERT** said, that as far as the Surgeons in the Cavalry and Infantry were concerned the forage allowances to them were regulated by particular practices which obtained in each Service. With regard to candidates for Commissions, since the increased scale of pay was given incrased requirements were demanded from the candidates, and it had been decided not only to require a Diploma of the College of Surgeons, but also a Medical Diploma from some other body, to insure their knowledge of both medicine and surgery. With regard to the retired Officers, he thought it would be unwise to depart from the rule that no change should be retrospective, and give Officers who had already retired the same additional pay as would be given to those who would retire hereafter.

Colonel **DUNNE** said, it was not his intention to allude to pay, but to rank only.

Mr. **SIDNEY HERBERT** said, he had not considered that point, but he was inclined to think, on the whole, it would be dangerous to make the change retrospective.

ARTILLERY AND ENGINEERS OF THE INDIAN ARMY.—QUESTION.

Colonel **SYKES** said, he wished to ask the Secretary of State for India whether, as the 56th clause of the Government of India Act, 1858, transferring the direct Government of India to the Crown, guaranteed to the Officers of the Indian Army, the rank, privileges, &c., they held at the time of the passing of the said Act, it is the intention of Her Majesty's Government to cancel or alter the rank held by the Field Officers of the Artillery and Engineers of the Indian Army at the time of passing the said Act.

Sir **CHARLES WOOD** said, he believed it would be necessary to explain the circumstances under which this question arose to make his answer intelligible. Previous to the late mutiny the Royal Artillery never served in India, and there was a difference of rank between the Officers of the Royal Artillery and those of the Indian Artillery. There was no rank of Major in the former, but there was in the Indian Artillery. When those two forces became associated in service in India, in order to put them both upon an equality, it was decided to abolish the rank of Major in the Indian Artillery, which did not exist in the Queen's Service, and to make the Officer rise at once from the rank of Captain to that of Lieutenant Colonel, in the same manner as in the Royal Artillery. But in the endeavour to place the Officers then holding the rank of Major on an equal footing they went a little too far, because they gave back rank and made them Lieutenants-Colonel dating from the day they became Majors. The result was not that any injustice was done to the Royal Artillery, but that it became a great injustice to the Officers of the Cavalry and Infantry of the Indian Army. In one case, an Officer became a Major General over the heads of a great number of other Officers who had been promoted before him. The matter was brought to the notice of his (Sir C. Wood's) predecessor (Lord Stanley), who determined to cancel so much of that order as gave back rank, and to give the rank of Lieutenant Colonel only from the date of the order. He did not consider there was anything in this which was inconsistent with the clause in the Act transferring the Government of India. The true meaning of that clause was that by the change all officers were to be left precisely in the same position as if the rule of the East India Company had continued, and it was not intended to prevent the Government from correcting a mistake in the same manner as the Company might have done.

INDIAN MEDICAL OFFICERS.

QUESTION.

Colonel **SYKES** said, he would also beg to ask the Secretary of State for India upon what grounds Deputy Inspectors-

General of Hospitals in the British forces of less than five years' service, doing duty at home or in the Colonies, with the relative army rank of Lieutenant Colonel, are to have the local rank of Colonel while serving in India from the date of their arrival in that country, agreeably to Her Majesty's Warrant of the 1st of February, 1859, in supersession of Surgeon Majors and Deputy Inspectors of Hospitals of Her Majesty's Indian Forces who rank as Lieutenant Colonels only, although of twenty to thirty years' service?

SIR CHARLES WOOD said, that there had been two or three changes in the rank and designation of these officers. In the Indian Army there were two different ranks, which corresponded with only one in the Line; that was to say, there were two classes of Deputy Inspectors-General in the Indian Army, whilst there was only one in the Queen's Forces. The fact was that it was quite impossible, so long as they had two ranks in the one service corresponding with one in the other service, to make the ranks move in precisely parallel lines. There must be inequality one way or the other; and he believed that, on the whole, the arrangement which had been made after mature consideration between the Indian authorities and the Commander-in-Chief was less unequal than any other that could be made, unless the two ranks in the Indian Army were merged into one, which the Government of India did not think advisable for the efficiency of the service there.

COMMISSION ON NATIONAL DEFENCES.

QUESTION.

SIR FREDERIC SMITH said, he wished to ask the Secretary of State for War whether the Royal Commissioners to inquire into the Defences of the Country have been appointed, and whether there is any probability of their making a Report before the prorogation of Parliament; and, if not, whether, on the recommendation of the Commissioners, Her Majesty's Government will feel at liberty to suspend any works which have been already authorized by Parliament, or to commence without such authority any other works which the Commissioners may represent to be of an urgent character.

MR. SIDNEY HERBERT said, that the Members of the Commission had been appointed, but had not yet met. The prorogation of Parliament would, he hoped, take place next Saturday; there was not, therefore, much probability of their being able to make a Report before that event. Of course the Government would act upon their own responsibility in case such a recommendation as that alluded to by the hon. and gallant Member was made by the Commissioners. He trusted, however, that the particular case which had been put would not occur; at any rate, it was not the intention of the Government to suspend any works until the Report of the Commissioners had been laid before Parliament.

ROMAN CATHOLIC SOLDIERS.

QUESTION.

CAPTAIN O'CONNELL said, he would beg to ask the Secretary of State for War whether he is prepared to introduce a regulation to enable Roman Catholic soldiers to attend Mass on the holy-days of their Church when they can do so without interference with their Military duties?

MR. SIDNEY HERBERT said, that there was a regulation at present in existence enjoining upon commanding officers of Regiments that they were to be particularly attentive that no soldier professing the Roman Catholic, or other religious persuasion differing from the Established Church, should be compelled to attend Divine service according to the Church of England; but that every soldier should be at liberty to attend a form of worship in accordance with his own religious belief, when not prevented by his Military duties. That regulation, he believed, entirely met the views of his hon. and gallant Friend.

AFFAIRS OF ITALY.—THE CONFERENCE.

ADDRESS MOVED.

LORD ELCHO said, it was not without a deep sense of the responsibility and difficulty of the task he was about to undertake, as well as of his inability properly to treat so important a subject, that he had given the notice which stood in his name on the paper. He had done so, however, because he felt strongly upon the Italian question and on the subject of the late war, and because he dreaded from what he heard that, unless some means were taken to obtain from the House an expression of opinion with reference to the Conference, they might find themselves irretrievably committed to it. He was, however, bound to admit that the statement subsequently made by his noble Friend the Foreign Secretary showed that the country was not, at least at that time, committed to the Conference. But there prevailed in the House on that occasion a strong feeling of the desirability of further discussion upon this question, and of some stronger expression of opinion against entering into the Conference. Many persons had expressed a hope that he would not withdraw his Motion, and he had therefore felt it his duty now to submit it to the House. Before doing so, however, he wished it to be clearly understood that the Resolution was brought forward wholly without communication with hon. Gentlemen opposite. This should be understood, in justice to them, because he might possibly express opinions for which they might be sorry to be made responsible. With this preface he would now refer the House to the Motion itself. It began by stating that throughout the late negotiations this country had preserved a strict and impartial neutrality. He had no wish to enter into any detailed statement as to the conduct of the late Government in the negotiations which preceded the outbreak of the war, but, as he should have to touch upon the neutrality of Her Majesty's present advisers, it was desirable they should come first to some clear understanding respecting the nature of the neutrality of the late Government. He did not know whether any right hon. Gentleman on the Treasury Bench was disposed to dispute the statement in his Resolution, that the neutrality of the late Government was in his opinion both strict and impartial. His noble Friend (Viscount Palmerson) certainly had in hustings speeches and in this House declared that their conduct in this respect was not impartial, and that they had throughout been partial to Austria. Now, he (Lord Elcho) was not going to quote the blue-book in proof of this part of his Motion, but would simply refer to what had passed in another place on the point. Lord Stratford de Redcliffe gave notice—

Mr. SPEAKER: It is contrary to the rules of this House to refer to debates in another place.

Lord ELCHO said, that a notice was given in another place of a Motion to the following effect ("Order!")—

Mr. SPEAKER: Such a reference is contrary to the rules and orders of this House.

Lord ELCHO: Notice was given of a Motion to the effect that the conduct of the late Government had been impartial, and in reply the Ministerial leader there stated ("Order! order!")—

Mr. SPEAKER: The noble Lord is entirely out of order in the course he is taking, in continuing observations which point immediately to discussions that have taken place recently in the other House of Parliament.

Lord ELCHO said, he regretted that he was out of order, because had he been allowed to allude to this statement he thought it would have proved that in the opinion of the Government this portion of the Motion was correct, and that the conduct of the late Ministry had been strictly impartial. He would, however, quote a passage from a recent publication which gave a speech delivered by the Marquess of Normanby on that occasion, with an appendix. The Marquess of Normanby, who had perhaps been more mixed up in these Italian questions, and who was more conversant with their intricacies than any other person, said in this appendix:—

> "With respect to the correspondence, I believe that those who had before most vehemently imputed partiality to the late Government have since avowed their conviction that nothing could be more creditable than their general tone, or more obvious than their *bona fide* neutrality."

He (Lord Elcho) maintained, therefore, that the late Government had been neutral during the negotiations which preceded the war, and also throughout the war itself, and so it appeared to him desirable that that neutrality should be continued by the present Government, and that this country should not fix itself with the responsibility of departing from it. Now, the view which they took of the conference and of the peace must depend more or less upon the view which they had taken of the war. There were various views and shades of views and opinions prevailing in this country with reference to the war, but there was one point upon which all Englishmen were agreed, and that was in a sympathy for Italy. There was no Englishman who did not sympathize with Italy in her past sufferings and sorrows and her hopes for the future. The danger, indeed, was lest Englishmen should be run away with by their sympathies and should look to Italy alone, and not to England. But respecting the late war two sets of opinions prevailed. In the first place, there were men anxious for the wellbeing of Italy, and anxious that she should be better governed, who nevertheless believed that this war was not justified by the circumstances of the case, who could not help feeling suspicion when a despotic Government professed to give free institutions to Italy, and who regarded with alarm any interference with the balance of power as fixed and settled by the treaties of 1815. That was one class of opinions. There were those again, who led away by their sympathy for Italy and looking only to her deliverance from a foreign yoke, cared not by whom this deliverance was effected, and therefore cheered on France in her crusade for the establishment of free institutions in the Peninsula. Those who maintained such an opinion had been rather disappointed by the event, and had been induced, indeed, to do some injustice to the Emperor of the French. The fact, however, that his Majesty had concluded peace was, under the circumstances, no necessary proof of his insincerity. It only showed that the difficulties which confronted him were greater than he anticipated. and the utmost that could be said was, that he had shown a want of foresight. There was not one, indeed, of the circumstances which had led him to conclude peace which might not have been foreseen at the outset. He (Lord Elcho) was free to confess that he shared the opinions of the first class of persons to whom he had referred. He could not consider the war as justified, and he could not regard Austria as having, morally speaking, been the aggressor. He knew it was of no use to talk in the hope of convincing his noble Friend Viscount Palmerston. In a debate which took place in 1850, his right hon. Friend (Mr. Sidney Herbert) said, that the noble Lord apparently looked upon Austria as the cause of every evil and of every insurrection which occurred in every part of the world. Referring to the despatch which his noble Friend had suppressed for eight months, the Secretary at War added :—

> "That he purposely suppressed the Austrian note denying the intention of invading Piedmont, because he did not think the professions of Austria worthy of credence."

He had no hope, therefore, of changing the views of his noble Friend with respect to the misdeeds of Austria ; but he must at the same time contend that, although Austria, literally speaking, was the first to break the peace of Europe by the crossing of the Ticino—a step which must be regarded as worse than a crime, because it was a mistake,—she could not be held responsible for that previous state of things of which the war was the result. He happened to have been in Italy in the course of last winter, and he could state from his personal knowledge that up to the month of December there had been exhibited ou the part of Austria no signs of movement indicating a preparation for hostilities, and that not a single soldier had up to that time crossed the Alps to join the Austrian army in Italy. It was not, indeed, until after the celebrated speech which had been addressed to M. Hübner that any reinforcements had been sent to that army, and he had good reason to believe that Austria did not determine to take the final—he might now call it the fatal—step of passing the Ticino until she had become positively aware that the French preparations had been so far advanced that all the different expeditions which had since been carried into execution had been organized, the number of troops of which each was to be composed settled, and not only that, but the commanders and generals of brigade who were to be at the head of the different divisions of the French army named. Indeed any man who would read the blue-books could not fail to perceive that war had become a foregone conclusion with the French Emperor, and that Sardinia was in reality but the advanced guard of France in the contest. To France and Sardinia, then, and not to Austria, must the causes which had led to hostilities, in his opinion, be attributed. A right hon. Friend of his (Mr. Gladstone) indeed had said a few nights before that scant justice had been done to Sardinia in the matter ; but while he (Lord Elcho) admired, as everybody must admire, her persevering efforts in the cause of Italian freedom in 1848 as well as at the present day, while he was ready to admit that she had shone out to those States as the beacon-light of that liberty from the enjoyment of which they were debarred, he could not forget that ever since 1849 Sardina had pursued in reference to Austria a policy of provocation and of insult. He had been in Italy in 1857, when the Emperor of Austria and his youthful bride had visited thier Italian possessions, and he recollected that the Piedmontese press was then rife with insults towards Austria—with everything that could be thought of to incite Lombardy to insurrection, and with articles justifying regicide and assassination, the sentiments which they contained being upheld by Scriptural illustration. From what he had stated it would, he thought, appear pretty evident that Sardinia was bent upon going to war with Austria; and if further proof were wanting that such was the case, that proof was to be found in the address which was presented to King Victor Emmanuel on the occasion of his triumphant entry into Milan, in which he was congratulated on the success of a project which he had been so long engaged in preparing. These facts, coupled with the French and Sardinian treaty and the French and Sardinian marriage, afforded tolerably conclusive evidence, he thought, of the justice of the view which he sought to impress upon the House. So far as the part which France had taken in the matter was concerned we were, of course, bound to believe that she was unprepared for hostilities, since she had stated such to be the case. But then there were the treaty and the marriage to which he had just alluded, as well the Hübner speech, besides the fact that a portion of the French army had—even before the Austrians crossed the Ticino—passed the Alps and reached the waters of Genoa, to be taken into consideration before implicit credence could be given to that statement. It must also be borne in mind that within three weeks after Austria had crossed the Ticino, 200,000 French soldiers were drawn up in line on the plains of Piedmont. With those facts staring him in the face, all he should say was,—If France can do all this when she is unprepared for war, God help the nation against whom she wages hostilities when she is ready for the struggle! Now, he for one could not sympathize with France and Sardinia in the contest which had just terminated, because he did not think it could be shown that a sufficient justification on their part for entering into that contest had been proved to exist. He thought such an interference on the part of France established a most dangerous precedent—a precedent against which it was both the interest and the duty of England to protest. For his own part, he could see no difference whatsoever between the position of the French in Lombardy and that which they might have occupied in Ireland in 1848, if, when a deputation from that country waited on M. Lamartine, who was at the time President of the French republic, he had, instead of declining to accede to the wishes of the deputation, married his cousin to Miss Smith O'Brien and followed up that alliance by landing a French army in the harbour of Cork. The principle of armed intervention in favour of suffering nationalities was, in short, one against which we ought to protest, inasmuch as if any one nation were to arrogate to herself the position of acting upon the doctrine that might was right, there would be an end to the public law of Europe, and we should be returning to the old days of the German *faustrecht.* Those were the reasons why he could not sympathize with France and Sardinia in the recent struggle. But, as there were two views of the war, so there were also two views to be taken of the peace to which it had led. Everybody must, he thought, rejoice that that peace had been brought about, inasmuch as it put an end to hostilities, and relieved us from those daily details of sickening slaughter upon which no one could dwell without a feeling of horror. But while that was the case, and while there were those who felt all this to the full, and were delighted to find that there was to be no more bloodshed—who hoped Italy had benefited by the war, though they were disposed to doubt that such a result had been obtained, and who also were glad to find that Austria still remained one of the great Powers of Europe, and that thus the balance of Power was maintained, there were others who, led away by their sympathy with Italy—a sympathy in which he cordially concurred—and the hopes engendered by the proclamation of Milan of the freedom of Italy from the Alps to the Adriatic—regarded the peace with disappointment, inasmuch as Austria still ruled on the Italian side of the Alps. He confessed that he was not one of those who shared in the views of the latter class, but the question was what were the views of the Government on the subject? He could not help thinking that they regretted that Austria had not been driven across the Alps, and that they were desirous to effect by means of negotiation and the pen that which force and the sword had failed to accomplish. He had spoken with respect to the neutrality of the late Government, he now adverted to the neutrality of the present. It appeared to him that, instead of being similar, the neutrality of the latter was rather that of the advocate and the partisan than that of persons who wished to assume an attitude of strict impartiality. What, let him ask, was the meaning of the word "neutrality?" The definition which Johnson gave of the word he found to be, "a state of indifference, of neither friendship nor hostility." He had likewise turned to the pages of Vattel to learn the correct import of the term, which was explained by that eminent writer in the following words:—

> "Neutral nations are those who in time of war do not take any part in the contest, but remain common friends to both parties. A neutral nation must in all things show a strict impartiality towards the belligerent Powers."

Now, if that were the true meaning of the word, would it, he should like to know, be said that the present Government had maintained an attitude of neutrality in the case of the recent European contest? It was unnecessary to refer to the speeches of his noble Friends on the Treasury bench, whether made on the hustings or within the walls of that House, in order to supply an answer to that question. Those who had perused them would, he thought, admit that such a neutrality as that which he had described had not been the object of their lives. [Mr. WHITESIDE: Hear, hear.] He should leave 1848 to be dealt with by his right hon. and learned Friend who had cheered that sentiment. What they had sought then, and what they now sought, was the *bona fide* expulsion of Austria from Italy. As he had said before, he need not refer to their speeches to prove the justice of that view. Every line which had been penned by his noble Friend the Secretary for Foreign Affairs in his despatches went to support the opinion of his policy which he (Lord Elcho) entertained; he should go further and contend that when those despatches were compared with those of the Prussian Government it would be found the latter indicated the maintenance of a more impartial and dignified position on her side as the friend of both parties in the contest than that which the noble Lord seemed desirous to uphold. The fact, indeed, of his noble Friend having acted the part of the French *commissionaire*, in communicating the French seven points to the Austrian Government, clearly showed the *animus* by which he was influenced. That was in reference to the seven points, but he would like to know what was done in reference to the three points. He would like to know whether there was any truth in what he heard, that the seven points were subsequently reduced to three or four; that those three or four points were submitted to his two noble Friends by the French Minister; that they were accepted by his noble Friends without the knowledge of the Cabinet, and that the Cabinet was summoned to meet the following day to consider those points, but in the meantime peace was concluded between the Emperor of the French and the Emperor of Austria. [Lord JOHN RUSSELL: It is not true.] He had then been misinformed, but he thought his noble Friend would be very glad that he should have given him an opportunity of contradicting a statement which had gained currency upon the subject. If he were wrong in stating that as an instance of a want of neutrality on the part of the Government there could be no mistake in a despatch of the French Minister, dated Paris, the 20th of June. Count Walewski, at the close of it, said:—

> "Without yet having official information of the disposition of the new British Ministry, we are authorized to infer from the debate which preceded their coming into power, conclusions most favourable to the independence of Italy, and we are under the firm persuasion that the English Government is in its views, as well as in the support of its influence, favourable to the solution that we ourselves seek."

In the opinion of the French Minister for Foreign Affairs, therefore, there was identity of object and sentiment between the French Government and the Government now in power, and he had yet to learn that the French Government had been neutral in the Italian question. He maintained that the conduct of the Government showed that they were not neutral; that they were rather partisans, and that if, therefore, they went into a Conference, it would not be in an impartial spirit, but in the spirit of partisans. That was important, and must necessarily influence the views which the House would take of the Conference. He thought the House would agree with him that it was desirable that any Government which went into the Conference should go into it without any prejudices, and with a determination to do impartial justice. He was sure that such was the view of his right hon. Friend the Chancellor of the Exchequer; for, although they might object to the definitions of neutrality which he had given from Dr. Johnson and Vattel, the following was the opinion of his right hon. Friend in 1850:—

> "The more we may be tempted to sympathize with Sicily, the less we admire Neapolitan institutions and usages of Government, the more tenacious, as I contend, we should be of our duty to do them full justice. I say, therefore, that the noble Viscount (Viscount Palmerston), when he thus anticipated the dismemberment of the Two Sicilies, did an act which breathed a spirit of hostility towards a friendly Power,—an act at variance with duty,—an act ill adapted to advance the true interests of freedom in that or any other country."

He thought the House would see how curiously apposite the quotation was at the present moment, and how clearly it would apply if, instead of Naples, they read Austria, and instead of Sicily, Italy. He had already said that he gave notice of his Motion because he did not think it consistent with the honour, dignity, or interests of England to go into a Conference to settle the mere details of the peace, the principles of which had been agreed on between the belligerents themselves. The Government had told them that it was not their intention to go into the Conference for that purpose, but that they were prepared to go into the Conference on the general affairs of Italy. The justification for his Motion was to be found in the ambiguity as to what were to be considered principles and what details. What one Power might consider a question of detail, the other might consider a question of principle. But, with reference even to the great principles upon which the Government were ready to go into detail, in the general affairs of Italy he hoped they would be very cautious before committing themselves. He believed that the true policy of this country was the policy of non-intervention. He did not mean that England was to roll herself up like a hedgehog, and take no note of affairs in the outer world, but only to intervene in the affairs of other nations when the interests or treaties which bound this country compelled. That was the policy which was advocated by the late Sir Robert Peel with his latest breath. In the speech which he delivered on the night before the melancholy accident which terminated in his death he left a noble legacy to English statesmen as to what their line of conduct should be with regard to intervention. Sir Robert Peel said:—

> "Which is the wisest policy—to attempt to interfere with the institutions and measures of other countries not bordering upon our own, out of an abstract love for constitutional government—or to hold that doctrine maintained by Mr. Fox, Mr. Pitt, Lord Grenville, Mr. Canning, and Lord Castlereagh, that the true policy of this country is non-intervention in the affairs of others?"—3 *Hansard*, cxii. 692.]

In the same debate the same views were ably advocated by the right hon. Gentleman whom he now saw on the Treasury bench, and by the apostle of non-intervention, the hon. Member for Rochdale. Mr. Cobden said:—

> "I say if you want to benefit nations struggling for their freedom, establish as one of the maxims of international law the principle of non-intervention."—[3 *Hansard*, cxii. 671.]

When the English Government had departed from the principle were the results satisfactory? In the same debate the consequences of a departure from this sound and wise principle were thus described by the right hon. Gentleman, the Member for the University of Cambridge (Mr. Walpole):—

> "The result of his (Viscount Palmerston's) policy was to be seen in the summary dismissal of our Minister from Madrid, in the sudden withdrawal of the Austrian Ambassador from the Court of St. James's, in the deep humiliation of the King of Sardinia, in the degradation of the Pope, in disappointed Italy, in offended Russia, in estranged Austria, in alienated Germany, in the averted looks with which our former most valued allies now regard us; and to sum up all in one brief sentence, we might mark it everywhere in the partial hatred, in the general disquietude, in the universal distrust with which our policy was now received by every nation upon earth.—[3 *Hansard*, cxii. 651.]

Such was the summary given by the right hon. Gentleman opposite of the results of meddling in the affairs of other nations, and it should be remembered that previous to 1850 England had interfered in the affairs of Italy. With what result? The Italians had been in turn encouraged, flattered, and betrayed, and if the hon. and learned Member for Dundalk (Mr. Bowyer) was strictly correct in his statement the other night, the name of the noble Viscount was abhorred, and the name of the noble Lord was detested in Italy. He had too much respect for his noble Friends to wish their names to be abhorred or detested, and therefore he was anxious that if possible they should keep out of the Conference. If they went into a Conference, what did they intend to do? There was nothing very inviting in the present state of the affairs of Italy; but if his noble Friends went into a Conference upon those affairs, he supposed they would go as the friends of Italy, and in order to establish a better Government in Italy. The power which held "the quadrilateral" was the master of Italy. Mantua and Verona were the keys of Italy. If they went into the Conference as the friends of Italy, and in favour of liberty, were they prepared to abide by the programme of 1848—to insist on the expulsion of Austria from Italy altogether, and to join with France to effect that purpose; or would they be satisfied with the compromise of an Austrian archduke, a free constitution, and an Italian army in Lombardy? What would they be prepared to do with regard to the Pope and the States of the Church? Were they prepared to receive the Pope as the head of an Italian Confederation, or were they prepared to insist on the secularization of the Papal States? What would they do with the Duchies? Were they prepared to insist on Austria and France not being allowed to force the Archdukes upon their reluctant people? What were they prepared to do with respect to the French occupation of Rome? Were they prepared to insist upon Italy being left to the Italians, and the French army withdrawn from Rome? And with respect to the Duchies there was this difficulty. It being in the original agreement that the Archdukes were to be restored, the Grand Duke of Tuscany had abdicated in favour of his son, and that which might have been accepted as a compromise could not be accepted, as the compromise had come too soon. Every day brought a new difficulty. The state of Italy, painted in the columns of the daily papers, was as a seething cauldron, with more elements of evil and discord than ever yet entered a poet's imagination, and he hoped the Government would not plunge this country into it, since it was improbable the result would be much for the good of Italy or of England. He wished to urge the Government not to enter upon a Conference on other grounds. There must be one of two things. They either had confidence in the Emperor of the French or they had not. He thought the Government's entering into the Conference might be either superfluous or dangerous. If they had confidence in the Emperor of the French, let them be thankful they were not in the Italian mess, and keep out of it; for the interests of Italy and the freedom of Italy would be safe in his hands. But if, on the other hand, they had not confidence in the Emperor of the French, if they distrusted him, and did not believe that he was anxious to establish free Government for Italy, why then, *à fortiori*, they must keep out of the Conference, for by going there how would they be able to attain their object? He asked what the Government intended to do, supposing that in this Conference their views were not consulted. Were they prepared to support those views by force, or did they only intend to bring their moral influence to bear? It had been wittily, though somewhat irreverently, said that Providence was on the side of large battalions—it might be added, when they were well commanded; and this saying was equally true of moral influence, which would always be found on that side which could support it by the greatest physical power. He had seen one of the proclamations of the Emperor of the French, in which he said that during the war in Italy, France had manifested her moral influence upon this question; but he wished to know whether Her Majesty's Government intended to back their views with reference to Italy by force, or whether they would be satisfied with moral influence; for if the views of the Government were opposed they might have to withdraw from the Conference, and Italy would again consider herself abandoned and betrayed. He thought that, upon the grounds he had stated, the Government ought to be very cautious before they engaged in any Conference upon the affairs of Italy. He was quite aware that the views he had expressed might not meet with much favour in that House, so far as regarded the question between Italy and Austria; but he had stated his honest and sincere convictions on this subject. He was prepared to hear it said that he had no sympathy with Italy, that he was hostile to France, and that he was the advocate of Austrian misrule. He might be allowed to say, however, that he sympathized with Italy as much, perhaps, as any hon. Member of that House, and that he would gladly see the people of that beautiful country well-governed, happy, prosperous, and contented. He would go further, and would say that he believed, perhaps, the best thing that could happen for the security of the world and the good of this country was that a united kingdom of Italy should be created, consisting of 25,000,000 people. [Mr. GLADSTONE: Hear, hear!] A right hon. Friend of his cheered that sentiment, but did any man believe that such a thing was possible? Was there anything in the circumstances of Italy that rendered it probable? It was a fairy vision and an agreeable dream, of the realization of which he saw no prospect. Would France allow it, or would she aid in creating upon her frontier so powerful an empire which would render the idea of making Italy a French dependency, and the Mediterranean a French lake an impossibility? He disclaimed any hostility to France. So far from entertaining any such feeling, he looked upon the French alliance as necessary not only to the well-being of both countries, but also to the advancement of civilization and the advantage of mankind in general; but he was not prepared to sacrifice everything to that alliance. He was no advocate of Austrian misrule. He did not deny the misdeeds of that empire in Italy; he was ready to admit them;

but he was not blind to the fact that Austria was our friend and Ally as well as France, and that it was essential to the equilibrium of Europe, and to the safety of England, that Austria should remain a great Power. It was not, then, because he had no sympathy with Italy, because he was hostile to France, or because he was the advocate of Austrian misrule, that he had expressed his views, unpopular though they might be, upon this question. In his mind one consideration was paramount to all others, and that was—what is for the good of England? He believed it was for the advantage of this country that we should abstain as far as possible from any intervention in the affairs of foreign nations. He did not see any benefit that could arise from our interference either to Italy or to this country; but he did see many dangers ahead, and he foresaw that by such a course we might involve ourselves in complications and difficulties which we might have cause to regret. It was on these grounds that he urged Her Majesty's Government to be cautious how they went into any Conference with reference to these questions. He did not wish to tie up their hands, but to leave them, as British Ministers ought to be left, to the free exercise of their discretion upon this subject, when that discretion was to be exercised, not upon petty details, but upon general questions of principle. If his noble Friend saw cause for going into this Conference with a fair prospect of doing good, and with the certainty that no danger would accrue to this country,—although he (Lord Elcho) confessed he could not conceive such a state of things;—if he would go into the Conference not in the spirit of a partisan, but of fairness and impartiality;—if he would look to the interests of England as well as to those of Italy;—if he would engage in the Conference, not as the Minister of Italy or of France, but as the Minister of England, he for one would earnestly pray for his success, and no one would more ardently desire that his endeavours to give better government to Italy and greater security to Europe might be crowned with success.

MR. HORSMAN seconded the Motion.

Motion made, and Question proposed—

"That an humble Address be presented to Her Majesty, stating that in the opinion of this House it would be consistent neither with the honour nor the dignity of this Country, which throughout the late negotiations on the Affairs of Italy has preserved a strict and impartial Neutrality between the contending Powers, and used its earnest endeavours to prevent the outbreak of hostilities, to take part in any Conference for the purpose of settling the details of a Peace the preliminaries of which have been arranged between the Emperor of the French and the Emperor of Austria."

MR. KINGLAKE said, he had undertaken to meet the noble Lord on that occasion by moving the previous question, because he conceived that the proposal which the noble Lord had submitted to the House was one that could not be appropriately met either by an affirmative or negative Vote. He cordially agreed in the major portion of the observations which had fallen from the noble Lord; but he thought he had in some degree misled himself by consulting an English Dictionary for the purpose of ascertaining how it was that an English Minister should conduct the negotiations of a country which was observing neutrality. Looking into an English Dictionary, the noble Lord found that "neutrality" was defined as "total indifference." Why, if the Earl of Malmesbury had observed that total indifference which the noble Lord said it was his duty to maintain, how was it that they had that Blue-book—that volume of "rejected addresses"—of which the noble Lord was known to be an enthusiastic admirer? The truth was, that the impartiality and neutrality which it was the duty of an English Minister to observe in his relation with Foreign States were not of so narrow a description as they ought, in the noble Lord's opinion, to maintain. On the 1st of January last, Europe was in the enjoyment of profound peace, but it became known that, from some cause or other, that peace was to be disturbed. Under such circumstances, was it not evident that some one must have been deeply in fault? What, then, was the virtue of impartiality, as defined by the noble Lord, which he put forward as the true guide of a Minister for Foreign Affairs? It might as well be said that a policeman who witnessed an outrage should be required to observe a strict impartiality between the person committing the outrage and the person who was its object. He (Mr. Kinglake) must refuse to vote in favour of the noble Lord's proposition. He did not desire to lay it down broadly that the proposition was unconstitutional, but he did say that to interpose the counsels of the House of Commons in the place of those usually given to Her Majesty by her accustomed advisers was, at all events, to express a very strong distrust of the Ministers of the Crown; and he believed that if such a Resolution as that proposed by the noble Lord was not actually and in terms a Vote of want of confidence, it was so near an approach to such a vote, that hardly any man could consent to support the noble Lord's Motion who would not also assent to a vote of want of confidence. It would not be consistent with his own position and that of more than 300 Gentlemen on that side of the House to adopt what on the hypothesis he was considering was clearly a party vote. But if in its principle and spirit it was a party vote, he might ask, looking at the state of the opposite benches, where was the party that was to support it? Regarding it as a party vote, it was a proposal that ought hardly to be brought forward unless it was to be made the ground of a trial of party strength. Taking the Motion, however, on its merits, it would be inconceivably rash to attempt to lay down the policy which should or should not be followed—not at that moment, but some weeks, perhaps some months, hence, and so to define that policy in total ignorance of the circumstances which might then be existing. The proposal pointed to the future—not to the present; and it was impossible for any man not endowed with the gift of prophecy to say what might be the state of things at the time when it really came into operation. If, indeed, the noble Lord had called on them to act or not to act upon his advice at the present moment, they might say they had such great confidence in his judgment as to determine at once to do what he told them. But when he pointed to the future they could not but feel that when the future came the noble Lord himself might change his views. It was easy to suppose that three weeks hence something might arise to induce the noble Lord himself to consent to go into a Congress; and yet, if he succeeded in carrying that Resolution, he would find himself debarred from doing so by the success of his own Motion. For himself, he was inclined to follow the old-fashioned custom of holding Her Majesty's Ministers answerable for the conduct of public affairs, and therefore he could not refuse to concede to them that power and that latitude of action which were the natural concomitant and the indispensable condition of all true responsibility. But while he could not vote in the affirmative of the Motion, he should also regret if he were obliged to meet it with a direct negative. He went a great way with the noble Lord in deprecating a Congress, except under circumstances which would make one far more desirable than he now believed it to be. He should therefore be most unwilling to join in any vote which this country or Europe might construe as indicating an inclination to enter a Congress. The objections to such a measure were very strong. The noble Lord said, the state of Italy was calculated to give us great anxiety, and on that account he proposed to do nothing. Now, that very circumstance would be a reason, not perhaps for accepting a Congress, but why one should naturally be proposed by many as a solution of the difficulty in which that part of Europe was placed. In another of the noble Lord's objections, however, he cordially concurred. If England were to join in a Congress under present circumstances, she would be likely to enter it without authority. A Congress of nations was, no doubt, an apt conclusion at the close of a great war. The great Powers which had been engaged in the strife agreed to sheathe the sword and to come to those territorial and other arrangements which were to result from the fortune of war. But England had not been a belligerent, and therefore could not appropriately negotiate the arrangements that were in any sense to be regarded as the termination of a contest in which she never took part. She could not make peace, because she had not been engaged in war; still less could she take part in bestowing the spoils of that war, having had no share in winning them. Those spoils were, by the way, very small, because, after all, the Emperor of the French had gained less territory than King Charles Albert won and lost by the sword in 1848. Another objection to our going into a Congress was this:—English statesmen, as far as he had observed, had not distinguished themselves in the Congresses of Europe. Those Congresses seemed to have been fatal to the reputations of our public men. After the Congress of Vienna all Europe was merry with the singular blunders made by the Marquess of Londonderry. In the Congresses of Laybach and Verona, happily, we took no part. He did not look back with pride or satisfaction to the Congress of Paris in 1856. We never knew what it was that an English statesman would be saying and doing in a Congress. He there spoke and acted sometimes in a most fatal way, and committed the country to a line of policy without having ever taken the opinion of Parliament or the country on the subject. Before the Congress of Paris, no man's reputation stood higher than that of the Earl of Clarendon. What did the Earl of Clarendon do in the Congress of Paris? The protocols showed that one day, *apropos* apparently of nothing, that noble Lord stood up and denounced almost the only free press on the Continent of Europe—namely, that of Belgium, and he also went on to express the horror and indignation with which he regarded a society with a pleasant name—the Marianne Society—which had never before been heard of in England, but which he inveighed against as one of the worst evils then existing in Europe. That kind of language was extremely derogatory to this country, because every man who heard it or read it when it appeared in the protocols, knew that it was put into the mouth of our negotiator by a foreign Power. There were strong objections, then, to our entering into a Congress, though he did not say that they were of such a character that they might not perhaps be out-weighed. The state of Italy must cause great anxiety to all who felt an interest in her happiness. The conduct of the Italians throughout the war had certainly been in all respects most admirable. Their bravery in the field and their moderation and love of order during recent transactions had been beyond all praise; and if there was one man who had gained more glory than another in the late short but bloody war, it was General Garibaldi. It was time for Austria and for Europe to part with the idea that States could be held or partitioned upon a mere possessory title, without reference to the will of the people. The States of Italy had expressed their will with perfect order, yet with calm resolution. Tuscany, Modena, Parma, and the Legations had all evinced a strong determination no longer to be governed by the rulers under whom they previously lived. Were those rulers, he wanted to know, to be forced back on these independent States? If we could be satisfied that the determination of the *de facto* Governments of Italy would be respected, and that foreign troops would be withdrawn from Italy, and if those terms were adopted as the basis on which a Congress might meet, then, much as he disliked the idea of a Congress, he would not resist the temptation that would in that case be offered, because the main objection to our joining in one—namely, the want of authority on the part of England, would be removed. If it could plainly be seen what the Congress was to do, he would not disapprove of our entering a Congress to settle the details of an arrangement arising out of the basis he had described, and also to arrive at a European solution. The repugnance he had not hesitated to express in regard to a Congress was not founded on any conviction that England ought to stand isolated among the nations of Europe. There was an idea abroad that England was separating herself from the affairs of Europe, and that her power was no longer to be relied upon as an element in the maintenance of the peace of Europe. He could not but think that that impression was owing in great measure to the prominence which had been obtained in this country by what we called the "Peace party," and to the connection of the existence of that sect with the neutrality of England in the late war. He believed that nothing could be more erroneous than to argue upon such a conclusion that England was to become null in the affairs of Europe. The importance of that sect arose from the great ability of the hon. Gentleman who was its chief, and not from the opinions of which he was the advocate or the numbers of those who held them. It was one of the qualities of that gifted man's eloquence that although he compelled many to follow him, he compelled still more to go very strongly against him. In fact, the interest in warlike affairs which now prevailed in the great cities of England had to a great extent been created by that very agitation in favour of peace of which the hon. Gentleman was the distinguished chief. It was a symptom—and by no means an unwholesome one—of English pugnacity. The Emperor Napoleon, he rejoiced to say, was disarming. That was a very happy omen for this country, and he trusted that we should imitate—though, with our humble means, we must follow it at a very respectful distance—the admirable system which the Emperor of the French had perfected, by which a peace establishment could very rapidly be made one of preparation for any emergency. Early in the month of March there was nothing but a peace establishment in France, yet in the month of June the Emperor was able to meet the Austrians at Solferino with one of the greatest and most efficient armies which had ever been seen. There was a cloud hanging over our relations with France, and, strange to say, that cloud had gathered, not in consequence of any act done by the Emperor of the French or by the French Government, but in consequence of words that fell from three of the most prominent of our English statesmen. The Emperor Napoleon was not a mere titular sovereign; he was a great commander of men. If they lived 100 years hence instead of to-day, they would be looking back upon the history of 1859 with the deepest interest. They cannot but think and talk of the Emperor of the French. Nay, more, he would go the length of saying that there were very few indeed of our public affairs which they could settle without some reference to the designs of the Emperor Napoleon. They had to take them into consideration in their military arrangements, in their naval arrangements—even in their financial plans they still must bear in view the Emperor Napoleon. He (Mr. Kinglake) was, however, not one of those who would indulge in hostile criticism upon the Emperor of the French. He would not forget that he was our faithful ally in the Crimean war, and that during the Indian mutiny his fidelity to us was never for one moment shaken. Those were circumstances which he never would forget. But the House had been told by the hon. Member for Birmingham, and that language was quoted and endorsed by the two noble Lords below him, that they ought not to indulge in any hostile criticism upon the Emperor of the French; and the hon. Member for Birmingham went so far as to say that if we did so even for a few months more, England would be embroiled in a war with France. Good heavens! what an alternative to propose to a free and spirited nation—enforced silence or war with France. A war with France would be dreadful, but so would be the enforced silence advocated by the hon. Member. If England submitted to such a silence, then, he would say, had commenced the subjugation of England. We would not endure considerations of foreign policy to interfere with the freedom of speech and freedom of action amongst Englishmen at home. That was the principle upon which the late Parliament acted when they overthrew a very popular Minister for pressing the late Conspiracy Bill, and he had no doubt that the existing Parliament would pursue a similar course if the Ministry betrayed any semblance of subserviency to a foreign Power.

Whereupon *Previous Question* proposed, "That that Question be now put."

THE CHANCELLOR OF THE EXCHEQUER: Sir, the hon. and learned Gentleman who has just sat down, in the beginning of his speech, gave, I think, very conclusive reasons against the adoption of the Motion, which has been made by my noble Friend, and he has met that Motion by proposing what is termed the previous question. So far as I am concerned, and I believed so far as my colleagues are concerned, we should have been perfectly willing to deal with the Motion by meeting it with a direct negative; but if it be the pleasure the House to treat it as a Motion which it would be unwise and imprudent under existing circumstances to entertain at all, of course Her Majesty's Government can have no objection to concur in that vote and support the proposition which has been made by the hon. and learned Member, made of his own choice and without concert with Her Majesty's Government. But there have been matters of great interest raised in this discussion, both by the hon. and learned Gentleman and by my noble Friend, who opened the debate, and I am sure my noble Friend will not be supprised that a Motion upon a subject of such immense importance upon the affairs of Europe, challenging the attention of Europe at a period so critical, and aiming, as he himself will be the first to admit, in a peculiar manner at imposing limits upon the free and responsible action of Her Majesty's Ministers, should itself be subjected to some scrutiny. Now, if I read the terms of this Motion of my noble Friend, the first remark, I think, that occurs is, that it is scarcely applicable to the position in which we stand, because that which it condemns, or rather prohibits, is the taking part in any Conference for the purpose of settling the details of a peace the preliminaries of which have been arranged between the Emperor of Austria and the Emperor of the French. But I am not aware of any proposal, of any suggestion, of any idea, or even dream of taking part in a Conference for the purpose of settling details the preliminaries of which have been arranged by the Emperor of Austria and the Emperor of the French. The details of peace, as we all know perfectly well from the public journals, if not otherwise, will be settled by the belligerents themselves; and what will remain to be settled are not merely details for the purpose of giving effect to the resolutions of the belligerents, but other great questions of European policy, vitally affecting the interests and happiness of Italy, stretching beyond the limits of Italy itself, and as well entitled to be termed matters of high and prime European interest as any questions that have been discussed among the European Powers in our time. Therefore that is no matter of settling the details of a peace, and the Motion of my noble Friend does not really describe the state of things in which we stand. I find some discrepancy between the Motion of my noble Friend and the speech by which it has been introduced and enforced. His Motion is very peremptory in its terms, and so much objects to our taking part in some coming Conference, the nature of which does not appear to be distinctly understood, that my noble Friend departs from the usage of Parliament, and, while circumstances are immature and as yet most imperfectly developed, invites the House of Commons to arrive by anticipation at the decision that under no circumstances are we to take part in this coming Conference. These are the terms of his Motion, but the speech of my noble Friend, especially the latter part of it, might have passed as a speech against his own Motion instead of for it, because, carried away by his own generous feelings, he concluded by telling my two noble Friends near me that if they would but enter the Conference as Ministers of England, and not as Ministers of France or of Italy, he would not object to their going. If that be so, what becomes of his Motion? My noble Friend must himself be conscious of this discrepancy; nor can he fail to be aware that his Motion in its present terms is clearly untenable. The Motion is brought forward to satisfy a great desire for a Parliamentary decision. It has appeared and reappeared more than once. Sometimes it has been submerged in the waves, but it has always retained its vitality, and the last time it came before us it was mentioned in connection with a declaration of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), who, after we had discussed for a night or two in general terms ths Italian question, said it was become more than ever necessary that Parliament should distinctly pronounce its opinion upon the question that was about to be raised by the noble Lord the Member for Haddingtonshire. If Parliament is to pronounce its opinion, we derived no indication from the speech of my noble Friend that it was his purpose to carry the question to that mortal issue; on the contrary, his speech appeared to be delivered for the purpose of expressing his own sentiments, and influencing by that expression the sentiments of the House of Commons. But there was not the slightest indication from him, and the present state of the benches would not have favoured any such indication that we are met here to try a great issue, in which is involved not only the fate of an Administration, but likewise the character which England is to bear in one of the great crisis of European history. I confess I am left in considerable doubt and bewilderment under these circumstances not only of difference between my noble Friend and Her Majesty's Government, but of difference between my noble Friend and his Motion, and between my noble Friend and himself. I ask myself, what is the real purpose of this Motion? It certainly requires a vindication. It is not a Motion within the ordinary walk of Parliamentary effort and exertion. It is not usual to ask the House of Commons to instruct the Government upon the course that it shall take in difficult questions of foreign policy, and still less would it be usual to do so in cases where the circumstances under which the Government will have to act are as yet unformed and unknown. What, then, is the purpose of my noble Friend, and what is the purpose — I think I can answer this with more confidence—of the right hon. Gentleman the Member for Buckinghamshire, who was so anxious that this Motion should come on for discussion? My noble Friend has spoken in warm and strong terms of his sympathy for Italy. I give him the fullest credit for entertaining that sympathy, but I own I much regret the form which it has assumed. Still my noble Friend undoubtedly entertains that sentiment, but I doubt whether the right hon. Gentleman the Member for Bucks was moved by the same sentiment of sympathy for Italy when he said it was exceedingly desirable that the opinion of Parliament should be expressed upon the subject. My noble Friend has spoken in just commendation, as he thinks, of the strict and impartial neutrality which was maintained by the late Government; and, indeed, the principal point in his speech has been the broad distinction he has drawn between the neutrality of the late and the neutrality of the present Government. The neutrality of the late Government, according to him, was the neutrality of an umpire; while the neutrality of the present Government is the affected neutrality of a partisan. Let me say a few words upon the two parts of that question. Beyond giving credit to the late

Government in the person of the Earl of Malmesbury for perfect integrity of intention, and for an indefatigable assiduity—indeed, a feverish, restless, overdone assiduity as far as regards the mode of expression, but still a sound, honourable, and manly assiduity—to maintain the peace, I am not prepared to subscribe the doctrine of my noble Friend that it meant a strict and impartial neutrality. I cannot say that the expressions used are conformable to that principle, and if my noble Friend near me has stated his dissent from that description of the conduct of the late Government, I am bound to add my own testimony, such as it is, to that which he has borne. In one of the letters of the Earl of Malmesbury he states that Austria has accepted his four points, and that consequently England has urged France to make Sardinia disarm. Now Austria never did accept the four points of the Earl of Malmesbury. She never even came near the acceptance of them, and any one who has read the document, in which she set forth what she called her acceptance with its qualifications, will know that the whole force and virtue of that document lie in the qualifications, which entirely destroyed the propositions of the Earl of Malmesbury. However, I will not dwell on that. Let me rather refer to what took place in this House, and test the strict and impartial neutrality of the late Government by the public declaration of the right hon. Gentleman the Member for Bucks on the 18th of April. There are many here who recollect the remarkable expressions then used. The right hon. Gentleman said there were many things in the conduct of Sardinia that were ambiguous, perplexing, and suspicious, while the conduct of Austria had been in the main a conduct of dignified conciliation, and in closing his speech he declared that he knew of no reason why the peace of Europe should not be preserved. I want to know whether the right hon. Gentleman was justified in those expressions with the information which we, indeed, did not possess, but which was at that time in his possession as a Minister of the Crown. Why, that speech, in which the right hon. Gentleman, speaking with all the authority of an organ of the Government, bestowed upon the conduct of Austria the praise of dignified conciliation, was made upon the 18th of April. But upon the 12th of April there had been discharged from Vienna an epistle, which was delivered to the Earl of Malmesbury on the 16th, two days before the speech of the right hon. Gentleman opposite, and in that epistle Austria declared her intention of sending that very summons to Sardinia which a week after brought about the war. Count Buol, writing on the 12th of April, says, in a perfectly intelligible paper—much more intelligible than many others which I find in the blue-book,—

> "We are about to address direct to the Cabinet of Turin a summons to reduce their army to a peace footing, and to disband the Free Corps, or Italian Volunteers. If this step should produce no effect, there would be nothing left for us but to lay upon the Cabinet of Turin the whole responsibility of the consequences which its refusal will entail, and to declare that their persistance in an openly aggressive attitude gives us back entire liberty of action by freeing us from the pacific promises which we had previously made to the British Government."

Yet with that paper in his possession the right hon. Gentleman on the 18th of April, declared that the conduct of Austria was marked by dignified conciliation, and that he saw no reason why the peace of Europe should not be preserved. I dare say that may be consistent with the great anxiety of the right hon. Gentleman for a discussion upon the Italian question, and consistent also with his views of a strict and impartial neutrality; but I do not think my noble Friend the Member for Haddingtonshire will subscribe to such doctrine, and I am certain the House will agree with me, that a Minister who could use these words under these circumstances was not a Minister whose conduct was governed by a strict and impartial neutrality. I believe I do not unfairly interpret the Motion of my noble Friend when I say that his real desire seems to be to prevent Her Majesty's Government from taking part in any Congress or Conference that may definitively regulate the settlement of the Italian question, lest our agency should there be exercised in a sense too favourable to Italy, or so favourable to Italy as to be unfavourable to Austria, or as to make an enemy of Austria. Let the House consider for a moment what is meant by this imputed hostility to Austria. I do not suppose there is any statesman in this country, or any hon. Member of this House, or any single man in England, who has at any time made public affairs the object of impartial study, who can be actuated by so senseless a motive as that of hostility to Austria. To disclaim that motive on the part of the Government is needless and disparaging, because I cannot admit that the slightest ground has ever been given for imputing to them any idea so monstrous and absurd. England has an immense interest in the maintenance of the European equilibrium, and that which disorganizes any one of the great countries of Europe is necessarily menacing to the general peace and to the interests of England. It is our duty and interest to desire to see Austria strong, flourishing, and happy. But it does not follow that we are not to have our own opinion upon the circumstances under which Austria is likely most usefully to discharge the duties of her great position in Europe, and is likely most effectually to promote her own separate, particular, and individual interests. This Italian question is one of which the roots lie deeply embedded in the past. It has not grown up to-day or yesterday. My noble Friend says Austria has not been the aggressor in this war. He says we must look to the Sardinian marriage and the Sardinian treaty, though I know not what treaty he means. He says no reinforcements were sent into Italy by Austria until after the speech of the King of Sardinia, but this book contains sufficient evidence that reinforcements were sent before that time. The statement positively made by Count Cavour—suspicious, you may say, as coming from that source, but supported by all the collateral evidence we can procure—is this:—The words addressed to M. Hubner at Paris were uttered on the 1st of January; the speech of the King was on the 10th of January, but on the 3rd of January the Austrian reinforcements were ordered to march, and therefore my noble Friend is incorrect when he says that Austria sent no reinforcements into Italy until after the King's speech. [Lord Elcho: Concurrently with it.] Concurrently? Well, but that must mean after the speech, for nobody could have divined it until after it was delivered. But I have been diverted from what I was about to say. My noble Friend seems to think that we have only to consider this as a quarrel of the present and to-day,—that the blame lies here or there accordingly. No, Sir! To understand this quarrel you must go back, at any rate, for the last five-and-forty years, and then you will find the true lights which will show you its nature and origin. I don't speak of it now as a matter of praise or blame, but simply as a matter of fact. It may have been only an unhappy necessity of her position, but this, at any rate, is true—that for forty-five long years, wherever liberty reared its head in Italy, wherever there was the slightest or most moderate attempt to procure even the hundredth part of those franchises which as Englishmen we hold so dear, there the iron hand of Austria has interposed, and has re-established in all their rigour the abuses of the actually existing Governments. Well, if that be so, consider the position of Sardinia. Sardinia succeeded in obtaining for herself the blessings of a free constitution. You may rely upon it that the moment she did so—quite irrespective of the will of her Sovereign and her statesmen, but by the everlasting law of things which no human will can counteract—she became of necessity a standing danger to Austria. It was not merely that in Sardinia there existed a free State, and on the other side of the border a despotic Government. Although such a neighbourhood may not be without risks, I am not the man to assert that it is not perfectly compatible with peace and good relations. That, however, was not the cause. The real cause was the exterior policy of Austria in Italy; it was her influence and agency which pervaded every Court and province of Italy, and was felt there just as decisively and absolutely, perhaps even more so, than in Venice and Milan. What was the consequence of this peculiar system? It was commonly, and perhaps not untruly said, that the Austrian provinces were better governed than other parts of Italy. I say there was some truth in this. It was necessary for the credit of Austria as a great empire, it was expedient for the conciliation of her own subjects, that her administrative system in Italy, among a people so intelligent as the inhabitants of Lombardy and Venice, should be raised to a state of considerable excellence. But while she maintained that administrative superiority in her own provinces as compared with the States of the Church and with Naples, she at the same time enforced the iron yoke upon the States of the Church and upon Naples without having the power to procure for them the partial compensation of those administrative improvements which she herself was so careful to adopt and boast. The position of Austria and Sardinia, then, does not depend upon the will of the Sovereigns and statesmen of the present day; it lies deep in the bad organization of Italy, and its proper source is to be found in the propagandism of Sardinia. Sardinia, by the very law of nature, becomes the centre of hope and aspiration to every Italian who dares to hope for freedom; and her propagandism is rendered formidable by that Austrian system which pervades the Peninsula, confronting with its soldiery every man who strives to better the political system of Italy, denying him all hope of freedom, and dooming him to the perpetuity of the political servitude in which he lives. If this be so, the question whether the Sardinian marriage was contracted in view of a crisis which it was seen must, sooner or later develope itself, shrinks into small dimensions. On the side of Austria, as well as of Sardinia, I admit that you have now for many years in Italy laboured under a complication of political evils so grievous and, I may almost say, so desperate, that they seemed, in the judgment of many reflecting men, absolutely to defy solution, except through the terrible alternative of war. I do not think, therefore that it is my duty to blame the conduct of Austria so severely in this crisis as it has been blamed by others of very high authority. I admit that Austria has had to contend with the greatest difficulty—nay more, I admit that it may have been practically impossible for her to escape from that channel of evil tradition which her former statesmen have handed down to those of the present day. But if the case be so serious, I think my noble Friend need not have been so severe in his condemnation of Sardinia with reference to this outbreak. What are my noble Friend's ideas of neutrality? He has used every possible effort to assist and inform his mind. He has been to the redoubted and almost inaccessible pages of Johnson, and to Vattel on the *Law of Nations* in order to show that neutrality means total indifference. That is a very rigid doctrine; but when my noble Friend comes to interpret the doctrine which he has enforced so severely against the Government I am bound to say that he appears to apply it in his own case with a very convenient latitude. No doubt he means to exhibit the speech he has made to-night as a specimen of a just and impartial neutrality, but when we come to examine further we find his neutrality compatible with a belief that Sardinia and not Austria was the aggressor; that the Sardinian marriage and treaty were settled in anticipation of war; that there was a foregone conclusion on the part of Sardinia to bring about the war; and that it was nothing but a blunder and an accident which put Austria in the position of an assailant. These are pregnant opinions, but according to my noble Friend they are compatible with a strict neutrality. Well, then, let him only give to others the same space and elbow-room that he asserts for himself, and I will venture to say that the strict and impartial neutrality of the Government can be made out to a demonstration. This strict and impartial neutrality, it seems, is not, after all, incompatible with opinions, with convictions, and with desires respecting the matter at issue. It is quite clear that the definitions of Johnson and of Vattel will not admit the licence claimed by my noble Friend; but if they do, all I can say is, that we do not need any more. It is our duty, and especially is it the duty of my noble Friends, the Foreign Secretary and the Prime Minister in this crisis, to form their opinions as to what is best for the welfare of Italy, of Austria, and of Europe. Is it not a perfectly conceivable opinion that Austria would be stronger if out of Italy than she would be in it? You may differ from that opinion, though I am not quite certain that my noble Friend (Lord Elcho) does; but at any rate it is an opinion which may be honestly entertained. I frankly own that, without the least pretension to speak with authority on the subject, I am most strongly of that opinion. I feel convinced that Austria never will have a peaceful supremacy in Italy. My belief is—I wish I may be convinced to the contrary by the future—my fear and apprehensions are, that she will not be able to escape from the system of extraneous action in Italy which up to this time has been her bane, and the bane of that unfortunate country. Unless she can escape from it, I say that notwithstanding the Quadrilateral, notwithstanding the stone and the mortar, notwithstanding all the cannon and the guns, her rule over human hearts and human minds in that portion of Italy which she retains must continue to be a bane not less to her than to her subjects; and those who wish well to Austria may consistently wish that she were placed within limits where she might exercise a natural and a beneficial supremacy. What are the charges against the present Government with respect to its future neutrality? I will not say that the convictions of the Government are to be the measure of their neutrality. My noble Friend (Viscount Palmerston) quoted a precedent of neutrality so apposite I cannot help recalling it to the memory of the

House; it is the conduct of Mr. Canning in 1825. Mr. Canning was neutral in the matter of the French invasion of Spain, because he did not deem it a cause in which it was advisable England should take up arms. He was neutral in that sense, and he was impartial in his neutrality. The impartiality of his neutrality would have been violated if he had offered suggestions in the spirit of party; the impartiality of his neutrality would have been violated had he interposed by any underhand means. But retaining his liberty of opinion, he denounced and disapproved the French invasion of Spain. By doing so, he, in the first place, vindicated the character of England; and, in the second, he interposed by that denunciation a serious impediment to the repetition of such dangerous experiments. That is the neutrality on which Her Majesty's Government has acted. Its limit is that we should refrain, not from entertaining our own opinion, but from giving effect to it either by manifestations in this House, or by diplomatic action, otherwise than the public law of Europe may permit, or opportunities shall be fairly opened. The noble Lord, I hope, will be disabused as to certain seven points having been succeeded by certain three points, of which the first I have heard is from my noble Friend himself. I cannot admit that the neutrality of Her Majesty's Government has been compromised by any conduct with respect to any of these conditions. Surely it would have been a great responsibility on the part of Her Majesty's Government to have refused to make known to one of the belligerent Powers any terms, though they might have been such as that party could not possibly grant, unless we knew we were discharging a hostile office. Her Majesty's Government was most anxious not to be misunderstood with regard to those terms; it in no respect prejudiced our liberty of action; the Government made it expressly known that the terms were not their terms. There is not the least reason to suppose that their action was misunderstood, or that they were understood, directly or indirectly, to have subscribed to the conditions as constituting an arrangement by which the war ought to be brought to an end. Has my noble Friend nothing else on which to support his Motion?—because it is one that requires much proof and support to induce the House of Commons to travel so far out of its usual path. My noble Friend has evidently felt the difficulty in which he is placed, for he has ransacked *Hansard*, and searching through former debates has done me the honour to quote a passage from a speech of mine in 1850. I take it as a great compliment. It is delightful to find that one's words live in recollection after so many years. I spoke in reference to what was being done with regard to the kingdom of Sicily, under the circumstances then existing. No doubt I thought I was right at the time. My recollection is not so distinct. I do not remember my words so well as the noble Lord does; but it is a different question, whether, in anticipation of something that has not been done, you should pledge the British Government to a certain course of action. Has such a thing been done? No; the Government has done nothing. My noble Friend wishes to anticipate the future. With the end of the Session near at hand, the noble Lord wants to do, within the Session what my noble Friend (Viscount Palmerston) will have to do, and probably will be doing, when the noble Lord is engaged in a very different manner. The noble Lord says non-intervention is our true policy. Why [striking the blue-book of the correspondence of the late Government], what is this? Here is speculation, and persuasion, and admonition, sometimes even a little spice of menace! There is no positive gunpowder in these pages, but the noble Lord commends this correspondence greatly; he says, had it been published a few weeks before, the vote which overthrew the late Government would not have been given. I do not think that is quite certain. I think we may speak of that in the potential mood and the preterpluperfect tense, as something that might, could, would, or should, have been. The noble Lord says he knows an hon. Member who voted in favour of the Motion who, if this blue-book had been published, would have voted against it. But I know a man who voted favourably to the late Government on that occasion who could not have given that vote if this blue-book had then been published. [Lord Elcho: Name!] I will name my man when the noble Lord names the hon. Gentleman who, he says, would have given his vote the other way. In the meantime, I request him to be satisfied with the assurance that the person I allude to is a *bonâ fide* individual, existing in flesh and blood, and not an airy phantom. But the question whether we are to go into a Congress, whether we are prepared to admit this, or reject that—all these questions are in the future, and not even in the very near future. The general views of Her Majesty's Government have been declared in former debates. The question is not now whether we should rashly and precipitately enter into a Congress or Conference, or act by diplomatic correspondence, which is much the same, but whether by a hard, rigid, dry formula, laid down in total ignorance of the future, and the state of things it may produce, the House of Commons will take on itself the functions of the Executive Government? Is it possible the noble Lord can think that at this moment England is prepared to record its unconditional determination not to meddle with the affairs of Italy in this crisis of her fortunes? For that, after all, is the meaning of this Motion. In this country we are much disposed to look at precedents, and to walk in the way of those who have gone before us, and to have good reasons shown before we depart from it. Has this country been accustomed in former times to make the affairs of Italy foreign to its intervention and sympathy? Is not all our history full of proofs to the contrary? Hardly a serious question has ever been raised in Italy in which England has not interfered; and even where the principles involved were such that you could not interfere directly, you have chosen an agent to maintain your policy. Does my noble Friend remember, or remember with regret, the course taken by the noble Lord at the head of the Government in 1831 (Lord Grey)? The question, then, did not affect the whole of the Italian peninsula, but only the States of the Church. The great Powers of Europe then united in recommending the Government of the Pope to adopt and facilitate measures of reform. Does the noble Lord think that England ought to have abstained from acting with those European Powers, though the Pope did not see fit to adopt their suggestions? When Austria, Prussia, and France, made an appeal to the Papal Government in favour of his people, was the representative of England to hold aloof from the interests of justice, and say, "No, I cannot enter into any Conference, or be entangled in any arrangements—I cannot act with despotic Powers; I will have nothing to do with your recommendations"? If we come to a subsequent stage, when those other Powers unfortunately receded from their recommendations so far as to acquiesce in their rejection, does not the noble Lord think that the noble Viscount consults the honour and interests of England when he protested against the rejection of those recommendations by Gregory XVI.? Take another precedent from the year 1856—the Congress of Paris. At that Congress no objection was made to the principle of interference on the part of England with the affairs of Italy. But (striking the blue-book) here is the great and crowning precedent—the rich result of the labours of the late Administration. Here is a standing witness crying aloud against the principle advocated by the noble Lord—the principle of absolute and unconditional refusal to interfere in the affairs of Italy, which is contrary to the uniform course of the history of this country. The real question no doubt is, not whether it is desirable that England should enter into European negotiations; for after all, these are but expedients for the removal, or, if not for the removal, at all events for the mitigation of the great and overpowering ills that afflict mankind. Nor is it an idle passion to figure in either a Congress or a Conference that would ever lead an English statesman to consent to be a party to such transactions. The hon. and learned Gentleman behind me, indeed, has opened a peculiar chapter in this discussion. He raises two objections to our going into a Congress; one being that we should enter it without authority, inasmuch as we were not one of the belligerent Powers. That would be a very strong objection if we could enter it under any circumstances as the only Power which was not a belligerent. But the case would be entirely changed if an appeal were made to all the neutral Powers as a body, and that in the name of Europe, England should, as one of those Powers, take part in a conference or Congress in the hope and with the object of effecting good. The authority of England as a non-belligerent might be slight, but as a part of the collective authority of Europe it would be most valuable. But the hon. and learned Gentleman goes on to argue that there exists on the part of English statesmen an incurable incapacity which ought to lead us to eschew taking part in a Congress as far as possible. That, indeed, is an argument with which it is difficult to deal. I, for one, have no interest in the matter, inasmuch as no combination of circumstances is likely to place me in the position of the representative of England in such an assembly. I am, nevertheless, extremely sorry to learn that the

English nation, which has been so lavishly endowed and gifted in other respects by Providence, cannot furnish a man capable of holding his own at a Congress or a Conference with the representatives of the other Powers of Europe. The conviction that such is the case must necessarily be a source of deep regret in an assembly where so many persons are at all times found prepared to take part in the discussion of foreign affairs. The presence of such men, at all events, leads us to hope that England will not remain long without an adequate and sufficient organ to give expression to her views. The hon. and learned Gentleman has, however, I must admit, urged these objections to our entering into a Congress calmly, and has, upon the whole, arrived at a satisfactory conclusion, inasmuch as he states it to be his belief that although he deems the objections which he has advanced to be of a very serious nature, yet he does not look upon them as being insurmountable. It no doubt occurred to the mind of the hon. and learned Gentleman that the main question we have to consider, after all, is not the abstract question of whether diplomatic negotiations or conferences are desirable or not, but whether under present circumstances there is a clear prospect or a reasonable hope that the social position of a large portion of our fellow men would be benefited by the adoption of such a course. That is the real question for our consideration, and it is in order that we may have free scope to arrive at such a decision with respect to it as we may deem most advantageous that Her Majesty's Government entreat the House of Commons to leave their hands unshackled in the matter. The hon. and learned Gentleman, casting an eye over the States of Italy, saw that many questions were raised by the peace which it failed to settle. What does the declaration made at Villafranca, for instance, that certain Sovereigns should return to their territories, mean? It has received no authoritative construction, and I do not understand what it necessarily conveys beyond this—that the parties subscribing the terms of peace are perfectly willing that those Sovereigns should return to their territories, other circumstances permitting. If it means that they are to be restored by force—which interpretation, be assured, the Emperor of the French does not mean to put upon it—then is there another reason furnished why the hands of Her Majesty's Government should not be tied up, and why they should not be prevented from protesting with all that energy which the Government of a free State can command against a doctrine that would treat the inhabitants of the territories in question as the property of so many ducal houses who might dispose of them, their families, their fortunes, and those of their posterity as they pleased, without any regard to that independent will and judgment which, as human beings, they are entitled to exercise. I shall not trouble the House by entering into details with respect to those other portions of Italy to dilate on whose condition is the peculiar province of the hon. and learned Member for Dundalk (Mr. Bowyer), whom I see here, and who knows so well how to supply us with sound Roman doctrine on the subject. No doubt there are many things which one is tempted to say on this interesting topic when my hon. and learned Friend assures us that the whole mass of the people under the rule of the Pope, with the exception of a few uneasy country agitators, are deeply devoted to his paternal authority, and when one bears in mind at the same time that—for that the fact is so nobody will dispute, though perhaps it is of a nature which does not admit of explanation—whenever the foreign force which is maintained there disappears from the Estates of the Church, the throne of the Pope disappears along with it. But to speak seriously, I must say, in reference to the Pope—quite apart from all sectarian differences—as a personage occupying an eminent station and possessing distinguished personal virtues, as the head of a great body of Christian believers, that my wish would be to look upon him with all the respect which is due to those united titles. I, however, lament, as cordially as I could lament if I had the nearest interest in all that concern him, when I see a Sovereign who makes pretensions to represent in a peculiar sense the majesty of Heaven reduced to become a mendicant at foreign Courts—a mendicant, too, not for the purpose merely of obtaining the means of subsistence, but with the object of procuring military armaments whereby to carry the ravages of fire and sword over the fair provinces which he governs, and to rivet on the necks of men a yoke that is detested by every one except those who have a direct personal interest in its continuance. That is a policy which is unworthy of a civilized nation. But I shall dwell no longer on the subject. I have to apologize to the House for having detained them so long. To sum up the argument of my noble Friend who brought forward this Motion in a few words, he says he reduces the whole question at issue to this dilemma, —"Either you have confidence in the Emperor of the French or you have not. In neither alternative ought you to enter into a Conference." Now I at once admit that if we placed no confidence in the Emperor of the French I could, to a great extent, understand the justice of the view to which my noble Friend has given expression. I can very well understand, for instance, how, if unhappily England and France should prove to be essentially at variance with respect to Italian affairs, it would become a grave question of policy and prudence whether we should enter into a Congress with no more hopeful prospect than that of dragging out day after day wearisome discussions with the representatives of a Power with which we ought to be most anxious to be on terms of concurrence and alliance. I can, however, by no means understand the force of the other branch of the dilemma to which my noble Friend has directed our attention. He says,

> "If you have confidence in the Emperor of the French then there exists no necessity for your taking part in a Congress, inasmuch as he will do all that you require."

That is my noble Friend's argument. I am at a loss to know whether he could have used it seriously. My noble Friend in effect says, "The Emperor of the French is under circumstances of great difficulty, going to enter the circle of the other great European Powers, there to contend for objects of importance, the realization of which is dear to you in your hearts; therefore give him no assistance whatever." Yes, that is the argument of my noble Friend, and if the House adopts this Resolution it will be recording it to be its deliberate determination—whatever may be the disposition of France to give effect to the fair and temperate longings of the Italian States for constitutional freedom, and to grant them institutions more liberal even than she herself possesses at this moment—that we ought steadily to refuse to assist France in the endeavour, and leave her to struggle with the difficulties of her position, and, if needs be, sink under their pressure. And this too is to be done by way of signalizing the close alliance, which for so many years and with so much benefit has prevailed between the two countries. Yet such is the recommendation of my noble Friend, although—and I gladly admit it—it is not a recommendation which is borne out by the whole of his speech. It is, nevertheless, the advice which is embodied in his Resolution, and I earnestly entreat the House, whether by means of a direct negative, or by following the course proposed by the hon. and learned Gentleman behind me, to dispose satisfactorily and finally of this Motion this evening.

MR. SEYMOUR FITZGERALD:—Sir, I entirely concur in one portion of the speech of the right hon. Gentleman who has just addressed the House. I allude to that portion in which he admitted the importance of the question that has been brought before the House by my noble Friend (Lord Elcho). Its importance, indeed, cannot be exaggerated. It is important to Italy, to this country, and to Europe at large. And notwithstanding the criticisms in which the right hon. Gentleman has indulged, I think for one that this House owes a deep debt of gratitude to the noble Lord for giving us an opportunity before the termination of the Session of hearing the sentiments of Her Majesty's Government and the opinions of the leading members of this House upon a question so vitally important. In one point of view, however, I cannot agree with the right hon. Gentleman. I will admit that, to a certain extent, this is an unusual Motion; but, at the same time that there is anything improper either in the form, the object, or the wording of the Motion, I most emphatically deny. If, Sir, at the commencement of the late Session, hon. Gentlemen opposite had found that the policy adopted by the late Government with reference to the then impending war had not been a policy of neutrality, is there a single person here who thinks that the noble Lord opposite (Lord John Russell) would for one moment have hesitated to move a resolution in this House, or that he would have failed to carry that resolution prescribing to the Government a policy of neutrality? The Resolution of my noble Friend (Lord Elcho) on the present occasion is dictated by a similar spirit. It is because we distrust the intentions of the noble Lords opposite, and because they have shown a determination to go into a Congress, not to promote the objects which this country feels most desirable, but to lend assistance to the Emperor of the French in the difficult position in which he is placed, that we think it necessary there should be an expression of opinion on the part of this House that such a policy is inconsistent alike with the honour and the interests of this country. The right hon. Gentleman has said also that we are discussing this question under this truly very great difficulty, that we have not sufficient information. But, surely, Sir, that is a difficulty, the acknowledgment of which, of all other people in the world, ought not to come from any Member of Her Majesty's Government. For my own part I believe that never before, when an important question was pending before the House, was conduct such as that pursued by Her Majesty's Government ever witnessed in the course of our Parliamentary history. From time to time the noble Lord the Member for the City of London has doled out to us, bit by bit, scrap by scrap, just so much information as he has thought proper to meet the particular emergency of the moment. First we had a despatch sent to the noble Lord by our Minister at Turin, and we had the noble Lord's answer. Shortly afterwards I myself inquired of the noble Lord whether he would produce, for the information of the House, a despatch that he had addressed to Berlin, and dated the 22nd of June. The noble Lord replied that it would not be conducive to the interests of the public service to produce that despatch, because it would only give imperfect information to the House, as it was only a part of the correspondence, and therefore he declined to produce it. Shortly afterwards that despatch appeared in one of the foreign journals—I believe a German journal—and then the noble Lord produced the despatch. But he produced it in the very form which he had said was most objectionable—namely, by itself, without its context. The remainder of the correspondence, however, very soon appeared, and again in some of the journals of Germany. Again, when all who were interested in this subject were able to obtain the despatches written by the Prime Minister of Prussia to the noble Lord through the medium of the foreign journals, the noble Lord, not giving us those despatches, or anything else that would enable us to judge of the spirit in which he wrote, produced an extract only from one solitary despatch, without a single paper of any description by which we could form an opinion of the policy of Her Majesty's Government. We are still without any information as to what the noble Lord has written to Paris, or as to what he has received from Paris. We are still without any information of any despatches addressed to or received from Turin or Vienna. Nay, although there are intimations appearing in the *Gazette of St. Petersburgh* that some communications have passed between the noble Lord and St. Petersburgh, we are entirely without information as to what communications have taken place. Now, what I have to say is, that if we are approaching the consideration of this subject under this considerable difficulty—this want of information—that difficulty has arisen from the conduct of the Government, who have kept us designedly, as it appears to me, in ignorance as to their policy, and have left us to infer their policy from their declared sentiments and speeches in this House. I am extremely glad that the speech of the noble Lord the Member for Haddington has brought from the right hon. Gentleman (the Chancellor of the Exchequer) a speech which, though carefully evading the main point, has enabled the House to ascertain his opinion of what is neutrality. And he has sought —not by referring to recent events, but by going back through the history of forty-five years ago, in the most impassioned terms and with that eloquence which belongs to the right hon. Gentleman alone—to attract the whole attention of the House by a most studied condemnation of the conduct of Austria in every event that has taken place since that time. And he has left us, nay, not us alone—and his words will reverberate throughout Europe—for foreign nations also to form an opinion of that notion of an impartial neutrality which he wishes us to endorse. I do not desire to travel into the path in which the right hon. Gentleman has wandered, partly because the right hon. Gentleman may have thought much upon the subject, and probably wished on a former occasion to make these observations to the House, but had not the opportunity, and chiefly because it admirably served the purpose of diverting attention from the real matter before us. I will not go into a consideration of how far the policy of the late Government was a policy of impartial neutrality. Of this I am sure that it will require more than the eloquence of the right hon. Gentleman to convince the public at large, or this House, that the policy of the late Government was not one of strict and impartial neutrality. But what is it that the right hon. Gentleman says, proves that the conduct of the late Government was not impartially neutral? Some words that dropped from my right hon. Friend (Mr. Disraeli) on the 18th April last, when he said that the conduct of Austria had been marked "by a dignified spirit of conciliation." I believe that I have studied this blue-book (Italian correspondence) as thoroughly as most men, and I think the description of my right hon. Friend (Mr. Disraeli) is exactly that which alone could describe the conduct of Austria. Now, I would just refer to a paragraph in a despatch of Earl Cowley's to the Earl of Malmesbury. It is as follows:—

> "Before closing this despatch I will beg your Lordship's permission to refer briefly to some of the difficulties with which I have had to contend, in carrying out your Lordship's instructions. In the first place, I had to encounter a fixed idea that France was determined on war with Austria, and that to make concessions was but to put off the evil day. I hope that I have succeeded in partially removing this impression. Secondly, the pride of Austria naturally revolts at being constituted the object of attack, and being called upon to make concessions instigated by the animosity and ambition of Sardinia."

These are the words of a skilful diplomatist well acquainted with all that had passed on the subject.

> "I have the satisfaction of adding, in conclusion, that, great as is the irritation, which it cannot be denied exists at this moment against the Emperor of the French, the Emperor of Austria and his Government render full justice to the services which have been rendered to Europe by the former Sovereign; nor can I doubt, that the Austrian Government would accept with a sincere desire to bring them to an honest conclusion any overtures for a reconciliation with France, the acceptance of which would not be incompatible with their honour."

Now, Sir, I say, if that was the spirit in which the Court of Austria was prepared to act, it was one of dignified conciliation and entirely justifies the description of my right hon. Friend (Mr. Disraeli). But, Sir, my right hon. Friend, in speaking of the conduct of Sardinia, described that as being ambiguous; and, in my opinion, that was a very moderate description. The House should remember what happened in 1848. After the most positive assurances that no hostility was intended, and when the Austrians were not prepared, Lombardy was overrun from one end to the other by the Sardinian armies. The fortune of war changed, and then the conduct of Austria was that of generous forbearance. How has she been repaid? During the ten long years that have intervened, not one single year has passed without there being fostered in every part of Italy secret machinations against the peace of each particular State, and against Austrian influence. And I defy any one to read the statements contained in the supplement of this blue-book without seeing that the whole of these troubles, from one end of Italy to the other, is the result of a deep-laid scheme on the part of Sardinia to foment disaffection and insurrection in every form that could be devised. But, Sir, I would now come to the real point at issue. The noble Lord (Lord J. Russell) said the other night, and it has been repeated by the right hon. Gentleman the Chancellor of the Exchequer, that if it was supposed we were to go into Congress with the view of merely carrying out the preliminaries of peace which were signed at Villafranca, that he should be the first to say such a step would be ridiculous. But, said the noble Lord, there is a point beyond that. For years the state of Italy has been such, that from day to day we have been in constant fear of the outbreak of disturbances there which might menace the peace of Europe, and it is impossible that England could stand by an inattentive or passive spectator of a Congress that should take into consideration measures tending to the liberation of Italy, and consequently to the peace of Europe. That, I think, was the position of the noble Lord. But he said something further, which seems to establish the position of the noble Lord the Member for Haddingtonshire, and entirely to prove the case which he has attempted to put before the House to-night, because the noble Lord used the phrase also, that it would be just as well not to go into Congress at all as to enter into it with the prospect of breaking off upon a divergence of opinion at a very early stage. Now, what I want to point out to the noble Lord and the House is this—that there is not a single question that can by possibility come before a Conference to establish the peace of Europe and settle what is termed the Italian question, on which the noble Lord at the very earliest possible moment, if he represents this country there, will not find himself in a total divergence of opinion either from one party, or, as regards some question, possibly from both. Before I proceed further I would desire to ask the noble Lord one question. It resembles somewhat the question which the noble Lord himself put to Count Bernstorff in the despatch before us. I wish to know, if we enter into Congress, and the majority of its Members differ upon some essential point from the minority, is the opinion of the majority to be enforced by arms? If that is the view of the noble Lord, then I say this, that your Congress is not a Congress to restore peace: it is a Congress to renew and rekindle war. But supposing the noble Lord says: "If force is to be used I am not going to be a party to it," then I say that in the words of the noble Lord himself he takes a course which is inconsistent with the interests of this country; that if he goes into a Congress, and is content with talking himself whilst he leaves others to act, he does that which is inconsistent with the dignity of this country. Again, when the Powers of Italy have come to an understanding amongst themselves, and they have the guarantee and sanction of a European Congress, then I want to know, is that to be a real, substantial, and tangible guarantee? If it is, then the noble Lord is going to renew that great mistake into which at various periods of our history we have already fallen, in giving guarantees for that in which we have no personal concern, and he is doing that which—again I use his own words—is contrary to the interest of this country. But if this Congress is not to give a formal guarantee, but is to be merely a meeting of gentlemen who are to take cognizance of arrangements made by the belligerent Sovereigns, then I say that he is entering upon that which is not consistent with the dignity of this country. But let us look a little more in detail at the points which are to come into consideration at any Congress or Conference that may be held to settle the affairs of Italy. In the early part of this year we had a discussion upon the Italian question, and we were favoured with the opinions of both the noble Lords opposite; opinions of the greatest weight, likely to influence, not only this House, but the councils of foreign Powers also; and what was the position then taken by the noble Lords? It was that as regards Austria there was no question with reference to her territorial possessions in the North of Italy; that she held them by treaty; that it was not desirable to interfere with them; but the attention of the House and the finger of the noble Lord were pointed to the States of the Church. There was the great difficulty of Italy. There was the cankering sore which ate out the life of Italy. There lay the necessity for applying the cautery and the knife if you would save the life of the patient. We have since had a war, a short war, indeed, but short as it has been, at the same time one of the most sanguinary that can be met with in history. And what has been the result? Why, that the whole of the territorial arrangements of Austria in the North of Italy are changed; and not only have we the express declaration of the French Emperor, but his repeated declaration, that it is his intention, not only not to take himself, but not to permit any other Power to take, any step which will interfere with the temporal power of the Pope. Now with that declaration of the French Emperor before him, what will be the position of the noble Lord? He will enter into the Congress, I will not inquire with what credentials, or whether, sitting as he will perhaps have to do, side by side with the representative of the Holy See, he will come in with the Durham letter in one hand and this despatch which I have before me in the other. But what are the terms upon which he will have to recommend reforms to the Papal Legate representing the Holy See? The noble Lord says in this despatch, of which, no doubt, the Papal Legate will have a copy:—"I must not omit to state that any settlement of Italy would, in the eyes of Her Majesty's Government, be incomplete, which would not effect a permanent reform in the administration of the States of the Church." [Lord J. RUSSELL: Hear, hear!] Well, I am quite aware of the noble Lord's opinion. This is not the first time that I have become acquainted with that opinion. I am now only asking him what will be his position. Remembering that he has stated that it is better not to go into a Congress at all than to enter it and find yourselves entertaining such a divergence of opinion as to compel your speedy retirement from it, I ask him what will be his position? "Every one knows," says he, in his despatch, "that the Roman Legations have been much worse governed by the Pope's Ministers than Lombardy by Austrian Archdukes." Now, an inference may be drawn, I think, without requiring the subtlety of a Cardinal upon that statement. Lombardy has been misgoverned by Austrian Archdukes, and Austria has lost Lombardy. The noble Lord says the Legations have been much worse governed by the Pope's Ministers, and what will be the inference that a Cardinal will draw from that? Why, that it is the intention of the noble Lord, if he comes into that Congress, to deprive the Holy See of the government of the Legations, and to restrict the Pope to the patrimony of St. Peter alone. The noble Lord further says:—"That would be a partial and unsatisfactory arrangement which struck down the rule of the latter (the Austrian Archdukes) and left the former (the rule of the Pope) in all its deformity." But with whom will the noble Lord find himself in Congress? With the representative of the Holy See to whom such language has been addressed; with the Emperor of Austria, who has entered into a strict concordat with the Holy See; and with the Emperor of the French, who has declared that he will not take, nor permit to be taken, any step that will interfere with the temporal power of the Pope. And it is impossible for the noble Lord to say that you can make reforms in the Roman States without coming to that which I have no doubt the noble Lord would be glad to see accomplished—namely, a severance of the temporal and spiritual authority of the Pope. We know his gallantry. We know that, for the interests of his country and of Europe, there is nothing that he would not undertake; but let him consider that in undertaking this severance he is undertaking a task which even the Great Napoleon in the plenitude of his power, with 1,200,000 men at his back, and supported by half Europe, found himself utterly unable to effect. He was met with the reply, "You may deprive me of my temporal authority; you may drive me into the catacombs if you like; but from that dismal vault I will exercise a power more influential than your own, and I defy you to unseat me!" That, then, is the first point which the noble Lord will have to deal with in Congress. It is exactly that upon which he must foresee at this minute that there will be an utter divergence of opinion between him and those with whom he will have to act; and, according to his own statement, it is better not to enter into a Congress at all than to enter into it with the prospect of breaking off upon a divergence of opinion at a very early stage. Let us now look to the question of the restoration of the Sovereigns of the Duchies; but before I refer particularly to the case of Tuscany and Modena, I should like to say a word or two as to Parma. At the very first minute I was greatly struck with one thing, which is, that in the account of the preliminaries of peace received alike from Vienna and from Paris, whilst mention was made of the Grand Dukes of Modena and Tuscany, no mention whatever was made of Parma, and I believe that that omission could not have failed to strike the noble Lord as much as others. Now, what is the position of the Sovereign who ruled over Parma? For years before these troubles had broken out in Italy she had earned the respect of her neighbours and the love of her subjects. She had administered the affairs of her Duchy with intelligence; she had administered the laws with clemency and justice; she had administered her finances with a care and an economy, and, at the same time, with a liberality, that deserved the imitation of States of far greater pretensions. At the very earliest moment the very same system of machination against the peace of neighbours to which I have referred was set in motion against the Duchess of Parma. She was driven from her States, and yet such was her position in the estimation of her subjects that two days had not elapsed—two short days only had the Piedmontese Commissioners enjoyed their usurped authority—when the Duchess of Parma was, by the unanimous vote of her people, recalled to her Sovereignty. What followed? Not only did she declare her entire neutrality, but she made it known in this country, in Paris, and in the various Courts of Europe, that although she had been repeatedly urged she had refused admission into her territories to a single Austrian soldier, and would not permit a single Austrian soldier to remain there. What followed on the part of the King of Sardinia? Without warning, without the slightest reason, or the remotest excuse, the Sardinian army was marched to Pontemoli, occupied it, revolutionized the country, and again the Duchess became a fugitive. Now I should like to know whether the noble Lord has received any information as to the course which is to be taken with regard to the Duchy of Parma? We are told that the Duchy is necessary to Sardinia for strategical purposes, and that the Duchess may receive indemnification elsewhere. And not content with that, we have had placed before us, by the noble Lord himself, a despatch from Count Cavour, which, for wanton misstatement, and utter disregard for anything like political principle, I believe stands alone amongst all the State papers that ever proceeded from the pen of a Minister. I wish to know if the noble Lord is prepared to consent to this act of spoliation? When he enters into Congress is he going there to assent to such an act, supposing it to be in contemplation? It is not the first time in the history of mankind that we have found monarchs coveting their neighbour's possessions—"Give me thy vineyard, or else let me buy it for money." That is the spirit in which the Duchess of Parma is to be treated, and, to complete the parallel, what cannot be obtained either by exchange or by gift, is, according to the despatch which we have before us, to be obtained by force. Is the noble Lord, if he enters into the Congress, prepared to sanction an act of spoliation so disgraceful to those who have planned it, to those who execute it, and to those who permit it to be done, and which can only be paralleled in the modern history of Europe by the partition of Poland. Now let me turn to the other two States, and let me ask the noble Lord what is to be his position with reference to the Duchy of Modena and the Grand Duchy of Tuscany, if he goes into a Conference? We have the noble Lord's views as to what shall decide the future state of the Duchies of Central Italy. I find that in his despatch to Sir James Hudson, he speaks in these terms: "The will of these people, the fortune of war, and finally a European treaty, must in the last resort settle the territorial arrangements and rights of sovereignty in Central Italy." Now, I beg the House to observe, that I am not going to discuss the question with the noble Lord; but in making arrangements with reference to the rights of Sovereigns—and Sovereigns have rights as well as peoples—in making arrangements where the rights of Sovereigns are concerned as well as the rights of peoples, the noble Lord makes no reference whatever to anything but the will of the people. Now, I ask the noble Lord this question—how is that will to be ascertained? We all know that whether it be in the hands of unscrupulous agitators, or in the hands of despotic Sovereigns, there is nothing so convenient as the ballot. It can be made to express, as the opinion of the people, whatever those who have the command of the ballot-box wish to say, and of that we have a remarkable instance in the case of the settlement of the Danubian Principalities. We had an assembly there for the express purpose of ascertaining the wish of the people, but it had to be dissolved because it was found that no reliance whatever could possibly be placed on the expression of its opinion. Afterwards, even when the second assembly was formed, the same effect was produced, and that assembly was only not put an end to and dissolved, because it would have made the whole proceeding utterly ridiculous. Now, I want to understand, supposing the will of the people is against the union of Modena and Tuscany with Piedmont, what is the noble Lord going to do? I see it intimated in a remarkable article which has appeared in an almost semi-official form in one of the French papers, that it is possible, if difficulties occur in the way of the annexation of Modena and Tuscany to Piedmont, the name of another Prince may by chance come out of the ballot-box. It is possible that the name referred to may be that of a Prince who by his late presence in Tuscany has enjoyed every opportunity of ingratiating himself with those who have the guidance of affairs there. He may, by his connection with the great military power of France, present to the Tuscan people the temptation of a sure and permanent authority; and as the noble Lord speaks of a divergence of opinion between himself and those who may be members of Congress with him, I think he will see that, whether it be the Pope, or Austria, or France, it is likely that the representatives of these three powers may prefer a French Prince to a Prince of the House of Savoy. Now, I want to know what the position of the noble Lord will be with this difficulty, which I am sure he must long ago have seen standing in his path? I want to know what will be his position when he enters into Congress and finds that that will of the people to which alone he appeals is expressed by a vote, I care not how controlled or managed, in favour of what would be a restoration of the kingdom of Etruria. Will not the noble Lord find himself in a position that will make his presence in that Congress an absolute degradation to this country if he consents, and a serious danger to this country if he does not? I have gone through these points, because the noble Lord himself has said that with such difficulties it may not be advisable to go into Congress; and I desire most earnestly to point out to him that these are "divergencies of opinion" which must occur, which, according to his own account may render it undesirable for him to enter into a Congress, and which in my opinion, to use the words of my noble Friend (Lord Elcho), make an entrance into a Congress by this country inconsistent alike with her interests and her dignity. I confess there are other points which also materially weigh with me in thinking it a most undesirable thing that this country should at the present moment enter into a Congress, and one of these is the conduct with reference to late events that has been pursued by Her Majesty's Government. I will not refer to the speeches which have been made by the noble Lord at the head of the Government. I am sure he has heard enough of them, because they have been quoted to him every time that there has been a discussion in this House upon Italian affairs. I will not refer to the despatch of the noble Lord the Secretary for Foreign Affairs, of the 22nd of June, although I have the strongest opinion respecting that despatch. I think a more imprudent despatch was never written, or one that was more calculated to compromise this country. I will not refer to the despatch, of which I have already quoted some sentences—the despatch of the 7th of July—but I will say this, in passing, that a production which is more calculated to tempt criticism I never saw. There is scarcely a line in it which, if taken up by a severe reviewer, could not be turned, I will not say into ridicule, but directly against the noble Lord himself. There are paragraphs in it, the truth of which I grant it is impossible to deny—but then platitudes are always true. They must be so; and there are passages here which one would rather expect to see at the head of a copy-book of text-hand along with "Evil communications corrupt good manners," "Procrastination is the thief of time," or something of that sort, than as forming part of an important State document. They are such self-evident propositions that I do not think it at all necessary that the noble Lord should have taken the trouble of writing them to the Government of Berlin. But I will not go into any questions connected with that despatch: what I want to refer to is that of which, notwithstanding all that has passed, we have not yet had a sufficient explanation of what was done by the noble Lord in that mysterious operation which has been described by the noble Lord the Member for Tiverton as merely handing over a piece of paper from one foreign Minister to another. Now, I do not at all doubt the ability of the noble Lords, either of them by himself, and certainly when both are together I have still less doubt—in making a difficulty with any foreign Power where no difficulty ought to exist; but it appears to me that there must be means for a given end and result, and that it is impossible that an operation so simple as that which he says took place—namely, the handing over a paper from one Minister to another—could have produced such vast results as have actually followed. For what has followed? Why, nothing less than the mystification of two Emperors and the imperilment of a great Confederation. Such results could not have been produced by the simple act of joining to the duties of the Foreign Office those of Her Majesty's Postmaster General. And yet it is clear that they have followed from the act of the noble Lord. It is clear that the only document that by possibility can be referred to, is the document which the noble Lord received from the French Ambassador here and handed over to Count Apponyi. And what has been the result? It has put the French Emperor in the very perplexing and embarrassing position of appearing to all Europe as having made a representation to the Emperor of Austria which was not justified by the fact, and of having secured a great advantage by the misrepresentation. And what is the position in which it has put the Emperor of Austria? It has given him the appearance of having been equally deluded; of having given up that which he might have retained, entertained suspicions of an Ally who was acting faithfully towards him, and made peace upon more unfavourable terms than he might otherwise have obtained. What is the position in which the operation of the noble Lord has placed the two Cabinets of Berlin and Vienna? At a moment when it is of more importance to the peace of Europe than at any time for many years past, that there should be united action in Germany, it has sown the seeds of discord between the two Governments of Berlin and Vienna, and has almost put them in such a position that, had there not been mutual explanations, no one would have been surprised if in the course of time hostilities had ensued. What, again, is the position in which the noble Lord has placed himself with reference to the Cabinet of Berlin? On the 7th of July the noble Lord writes to Berlin that he had expressed to Count Bernstorff an opinion that the time had not arrived for making any proposal for an arrangement to the belligerents; yet almost contemporaneously with that, I believe on the very day or the day preceding, the noble Lord, who was assumed to be acting in cordial co-operation with our Ally at Berlin, without the least information being given to them, became the medium of communication for proposing terms of peace between France and Austria. What I wish to have explained is this,—we have had a contradiction from the noble Lord to-night, of a statement made by my noble Friend the Member for Haddingtonshire. Certainly on a former occasion the noble Lord the Member for Tiverton said, that all his noble Friend the Foreign Secretary did was to hand over the document—the piece of paper, as the noble Lord called it—to Count d'Apponyi, saying nothing as to its terms. He was merely the means of communication. He handed it over, as the noble Lord said, without any comment. I should like to know if it was accepted without comment. I should like to know whether at the time that M. Persigny presented this paper the noble Lord gave any opinion as to the likelihood of Austria accepting the terms — whether he did not state that they met his approbation—whether, in fact, he did not express his approbation of them? I should like to know, too, whether that opinion was not shared by the noble Lord at the head of the Government? And if so, I should like to ask this further question—What occurred in the mean time to change the opinion of the noble Lords with reference to this piece of paper? If it be, as I believe it to be, that this paper was accepted by the noble Lords and approved by the noble Lords when they received it from the French Ambassador, what happened in the interval that it should be handed to the Austrian Minister without comment. Was it that between the time when they received it and the time when they transmitted it the two noble Lords discovered that they had colleagues? The noble Lord shakes his head, from which I am to understand that was not the reason; and perhaps, therefore, when he rises he will explain what it was that did occur between the reception of the proposition from Count Persigny and the time when he handed it to the Austrian Minister. To account for it is, I think, a matter of very great importance. It is clear that the noble Lord must have accepted the terms proposed by Count Persigny with strong approbation and approval, otherwise whence did the French Emperor obtain that information which by any means justified him in making the representations he did make to the Emperor of Austria? Count Persigny must have informed his master that communications were passing between the English Government and the Government at Berlin, and he must further have told him that the paper which, no doubt, was transmitted by telegraph from Vallegio had met with the approbation and sanction of Her Majesty's Government. One further question I should like to ask. The noble Lord says that he handed the paper to Austria without comment. He said it contained terms for which he was not responsible. Did he inform the Austrian Minister who was responsible? Did he say, "I have nothing to do with them, nor has the Government of Berlin," or did he lead the Austrian Minister to infer that they were propositions of which the Berlin Government had at least some cognizance —and I do not say through France? I refer the more fully to these transactions, because they have produced important effects. It may not have raised difficulties with France, because France is our firm Ally; the Emperor has always been sincere and firm in our alliance. I believe he wishes to cultivate that alliance, and I know that he has made great sacrifices in order to maintain it; therefore this misadventure of the noble Lord the Foreign Secretary may not have raised any difficulties between us and France. But still he must feel that it has placed him in a false position. It has more than anything else made the chasm wider between us and the Court of Austria; it has raised distrust and suspicion in the Court of Berlin; and, above all, it has raised discord and division in the heart of the German Confederation. On these grounds I appeal to the noble Lord to make, as the phrase goes, a clean breast of it; he ought to tell us everything that passed, and so satisfy the House of Commons how it is that out of a transaction so trivial, results so important should have flowed. I have occupied the House longer than I intended. I have throughout desired to keep close to the point raised in the Resolution of the noble Lord. I have endeavoured to show distinctly that from whatever point of view this Congress be considered, the noble Lord will find, on entering it, he has undertaken a task that is inconsistent with the dignity, honour, and interests of this country. The noble Lord admits, as all in this House must admit, that the days of theoretical or sentimental politics in favour of one form of government more than another have passed away, so far as they can be enforced by force of arms. Therefore, what I want the House to say is, that from this moment we will inaugurate a new policy—that we will put an end to that meddling policy which has marked our course for the last twenty years, and which in the course of that time has met with the reprobation of every man of eminence, whether in this House or in the country, and which I for one am convinced is fraught with peril to the best interests of the nation. Do I ask, then, that this country should remain powerless among the nations of Europe? I say most positively not. It is here that our influence is to be exerted. It is not by the meddling of our Ambassadors and Ministers in Conferences and Congresses—it is by the firm position which this country occupies—it is by the free expression of liberal and exalted sentiments in this House that England will best advance the independence and the liberty of foreign nations, consult her own honour and secure her own interests, freedom, and happiness.

LORD HARRY VANE said, he thought it was impossible for any one to look to the events which had occurred and not feel convinced that an arrangement had been entered into in the course of last autumn by which the war was brought about. No one could entertain a higher opinion than he did of the character and abilities of Count Cavour, or of the energy with which he had checked the aspirations of Mazzini and his followers on the one hand, and the proceedings of the retrograde party in Italy on the other. Nevertheless it was impossible in good faith to approve of all Sardinia had done, or to deny that her ambition had led to a great deal of what had taken place; at the same time he could not deny that for five-and-twenty years the Austrian system had weighed heavily on Italy. He thought that House need entertain no jealousy of the Government with respect to a Conference; but at the same time he thought his noble Friend (Lord Elcho) was right in bringing the question of the Conference before them. He could not see any good that would flow from our joining in a Congress at this moment, and he had understood the noble Lord the Member for the City of London to say, that he would not enter into a Congress to settle the details of the peace of Villafranca. On the other hand, if a Congress was to meet to consider the general question of European policy, the House ought not to seek to limit the action of Government in that respect, however desirous they might be to avoid incurring any responsibility with regard to the settlement of Italy. It would not be becoming in us as a great Protestant Power to take any prominent part in the settlement of the Papal States, though he certainly thought it was an unfortunate arrangement in 1815, by which the Legations, which had before been independent, were placed under the dominion of the Pope. Before that time they enjoyed a free Government and municipal institutions. It was a matter, however, which ought rather to be left to the two great Catholic Powers to settle. So far as the late Government had left this matter in their hands, he thought that they had acted wisely. It ought to be an object with this country to maintain the independence of Austria, and he should be sorry to see that great military monarchy weakened. Her Italian dominions might have been for some time back rather a source of weakness to her; but if she had lost the Quadrilateral and Venetia, her prestige would have been diminished and her material force considerably reduced. He could not say that he regarded the arrangement proposed at Villafranca with much satisfaction, or that he thought it likely to be durable; but they were not entitled to blame the Emperor of the French for these arrangements, or for having stopped short of the programme which he had originally published. They were not entitled to find fault with him because he did not feel himself warranted in making sacrifices greater than he had counted upon; and they should not forget—what the French Emperor was well aware of—that the French army was exceedingly dissatisfied with the reception it met with in Italy. In Milan there might be enthusiasm, but in the rest of Lombardy little feeling was exhibited in favour of the French army. He did not think the possession of Lombardy would add much to the real strength of Sardinia, and there was also a jealousy between Milan and Turin; but as the peace was made it was not for England to quarrel with it, she was not a party to the war, she had disapproved of it, and she was bound to accept the peace. It was sufficient for them that the further effusion of blood had been arrested. It was impossible to foresee what would have been the mortality of the troops if the struggle had been continued through the months of August and September. He believed there would be great difficulty in carrying out the re-establishment of the Duchies. The articles of Villafranca provided for the restoration of the Sovereigns, but did not provide by what means it was to be effected. It was said the Emperor of the French was endeavouring by means of his emissaries to obtain an expression of opinion in favour of the return of the Grand

Dukes. Nothing, however, was more probable than that these means of working upon opinion should be looked upon with great suspicion. Still it was the fact that at all times the public opinion of France had acted upon public opinion in Italy. The revolution in Paris led to insurrections in Italy, and the *coup d'état* was followed by the overthrow of constitutional government. Again, the Tuscan movement, he observed, had been set on foot by very few of the representatives of the old Tuscan families. After these difficulties had been removed the action of the Government would not be finally closed. The voice of the British nation, he thought, ought to be heard in these councils. He did not believe this country would be content to be entirely silent in the affairs of Europe. He (Lord H. Vane) was in favour of the principle of non-intervention where that principle could be fairly carried out; but there were some occasions when this was impossible with safety. In the preliminary arrangements of the treaty this country ought to take no part; but after these had been settled, the material and moral power of the nation must naturally exert their due weight and influence.

Mr. BAILLIE COCHRANE said, that had he felt any doubt as to the expediency of the Motion of the noble Lord, that doubt would have been entirely removed by the speech of the right hon. Gentleman the Chancellor of the Exchequer. He never heard a speech which betrayed so strongly the feeling with which the Government would approach the Conference, if they were permitted to attend it. Parts of that speech he deeply regretted to hear. Parts of that speech might have been spoken by Mazzini himself. Parts of that speech were calculated to excite the Sovereigns of Italy and to create the very dangers which the Conference was intended to avoid. He had been unable to follow the argument of the right hon. Gentleman when he spoke of isolation. He held that there were positions when an isolated policy was a truly dignified policy. In 1841, for instance, when France was placed in an isolated position on the Eastern question, M. Guizot, in his eloquent language, explained in the Chamber of Representatives that "a position of isolation was one which, at that time, France intended to maintain as the only dignified position," although he guarded himself by saying that "isolation was not the normal state of the country; but that, when arrangements had been entered into without consulting a country, isolation was for her a dignified position." In like manner he (Mr. Cochrane) held that the present position of this country, if peace had been arranged without consulting her after war had been undertaken, spite of her efforts to prevent it, was dignified isolation. If the present Government went to the Conference either to register the decrees of other Powers, or to mix themselves up in the Italian question, a heavy responsibility ultimately resting upon them. The right hon. Gentleman had referred to the conduct of the late Government; but he (Mr. B. Cochrane) believed it was impossible to overrate the impartiality, the tact, and the judgment which had characterized the behaviour of the Earl of Malmesbury in all the negotiations, and the admirable manner in which his instructions were carried out by Lord Cowley. The object of the late Government was to avoid a war; but that was a very different position from being mixed up in negotiations which followed the conclusion of the war. The noble Lord might ask him why he distrusted Her Majesty's Government. He distrusted them with regard to these Conferences, because the whole antecedents of the two noble Lords who really represented the Government on this question proved that they could not enter them in a neutral spirit; that all the views of the noble Lord at the head of the Government and opinions had been so strongly expressed that he could only take one course if he attended it. What was the language of a most eminent man in speaking of the noble Lord only the other day? He was a man eminent in Europe, who, therefore, represented the public opinion of Europe with reference to the noble Lord; and what did he say? "We have had painful pangs in our history"—that is France—"but we know of nothing compared with this odious policy. What we have never done has been to keep to ourselves the blessings of order, and justice, and liberty, while in other countries we foment, patronize, and support elements of disorder. I thank God we have not this egotism to reproach ourselves with; and I utter this with no feelings of exclusive patriotism, but as conveying a sense of outraged justice that can no longer be repressed." Such was the feeling prevalent on the Continent with respect to the policy of the noble Lord. He looked back to 1848, and he found that wherever the noble Lord interfered his interference was followed by misery to the country which had the misfortune to have his attention directed to it. He interfered in Sardinia; and he could tell the noble Lord that it was the prevalent opinion that it was by the advice of the noble Lord that Charles Albert, in 1848, made his unfortunate attack on Lombardy. He interfered, and there was war in Sardinia. He interfered in Rome; and the Roman Republic was proclaimed. He interfered in the Two Sicilies; and civil war followed. All this did not, then, give confidence in the discretion of the noble Lord now. The right hon. Member for Dublin University quoted the other day from a most curious pamphlet written, if not by the Emperor of the French himself, at any rate under the inspiration of the Emperor. And what did that pamphlet say? The right hon. Gentleman did not quote the strongest part of it. The pamphlet attributed to the noble Lord distinctly, the present, the existing state of things in Italy. That pamphlet distinctly charged the noble Lord with urging forward the state of circumstances which had led to such a slaughter on the plains of Lombardy. There was one passage the right hon. Gentleman, strange to say, omitted to quote; but, he asked, what was the nation to hope from a Government that professed to interfere in support of neutrality, when this was the opinion expressed of the noble Lord by the author of this pamphlet. "So," said the writer, whom he might call the Imperial writer, "the English policy has not since 1847 varied with regard to Italy. It has even outstripped our own. . . . . We find her sympathising with the uprisings of nationalities which followed the accession of Pio Nono. We trace her hand in all that led to victory; we trace her hand likewise in all the negotiations which succeeded defeat." Throughout the pages of this pamphlet they found the statement insisted on, that the noble Lord, if he had not instigated, had consistently patronized revolution in Italy. How, then, could the noble Lord go to the Conference with the conviction that his wishes would be carried out. Looking at the noble Lord's past history and career he should tremble to see him approach that Conference. The noble Lord had had several questions put to him by the late Under Secretary of State for Foreign Affairs. He (Mr. B. Cochrance) would put two more. Would the noble Lord clearly state to the House what were the terms which, according to his statement, were given to him by the French Ambassador, and transmitted by him to the Austrian Minister. That was one question; and in reference to what had been stated in the newspapers he would ask, further, whether in the first instance the noble Lord did not suggest these terms to the French Ambassador, who subsequently made them his own? This should be cleared up, because the fact of such things being stated had a considerable bearing on the little confidence placed in the neutrality of the noble Lord. He certainly could not congratulate the noble Lord on the result of his policy up to the present time. Nor could he congratulate Sardinia on the result of her policy. According to an Italian proverb, Sardinia looked upon Lombardy as an artichoke to be devoured leaf by leaf; but it remained to be seen whether Lombardy would hold more firmly to the House of Savoy than she had to the House of Hapsburg. The result of the intemperate policy of Count Cavour was simply to postpone all hope of the happiness of Italy. Neutrality, at all events, should be strictly carried out. It had not been carried out by the speech of the Chancellor of the Exchequer. He never in his life heard a more partisan speech. Nor was it carried out by those productions which had lately appeared, written under the inspiration of gentlemen occupying a high position, if not actually connected with the Government. All that had ever fallen from the noble Lord on this Italian question was calculated to contradict effectually the idea that he could be neutral with regard to it. He would never be regarded as a friend by the Liberal party in Italy, and there was nobody's interference they would more earnestly deprecate than his. The noble Lord's interference had always led to the frustration of Italian hopes. He had excited hopes and cherished longings in the people, and afterwards when they had called on him for his practical assistance he had simply told them that his principle was non-intervention. He (Mr. B. Cochrane) also said that his principle was non-intervention, but then it should be not only non-intervention with regard to arms, but non-intervention which shrank from the expression of opinions which were calculated to mislead. Such was the non-intervention which he thought the country should maintain; but such was not the non-intervention of the noble Lord at the head of the Government.

MR. GILPIN said, he would not endea

vour to change the issue before the House, as had been attempted by the hon. Member who had just sat down, or follow him in discussing the antecedents of the noble Lord at the head of the Government. The question before them was simply this, not whether it was desirable, under present circumstances, to take part in any Conferences, but whether it was desirable to bind the hands of Her Majesty's Government, under any and every possible circumstance, from taking part in the consideration of what might involve the highest interests of Europe. So that to put the case broadly before the House, even were there circumstances in which the Government of the Queen might be unanimous in the opinion that they could rightfully assert, and peaceably assert, principles which were dear to the people of this country, and that they might do it without interfering with the rights of other nations, the Resolution of the noble Lord, if he understood it rightly, declared that not even under those circumstances, or under any circumstances, should we be justified in having anything to do with the coming Conferences or any possible Conferences. He (Mr. Gilpin) held that it would be most imprudent, on the eve of a prorogation of Parliament, so to bind the hands of any Government who, from their very existence, were supposed to have the confidence of the House of Commons. The hon. Gentleman who had just sat down had descanted on and criticised what he (Mr. Gilpin) called one of the noblest speeches he ever heard within these walls, the speech of the right hon. Gentleman the Chancellor of the Exchequer. He did not wonder that the hon. Gentleman, and other hon. Gentlemen in the House, did not feel within them that responsive sympathy which the people of this country would, he was sure, feel when they read the speech of that right hon. Gentleman, but to which the hon. Gentleman was perhaps an utter stranger. He (Mr. Gilpin) was much mistaken if that speech did not awaken an echo throughout the length and breadth of England. If the hon. Gentleman attributed the state of things in Italy to the noble Lord at the head of the Government, or any other individual in the Government, he exhibited ignorance of the state of things existing in Italy and of the facts of history. The hon. Gentleman had quoted an Italian proverb, which had appeared in the *Quarterly Review*. If it were, indeed, the intention of Sardinia to devour Lombardy leaf by leaf, like an artichoke, then the only difference between Sardinia and Austria was, that Austria would devour it whole. He did not wish to accuse any of the preceding speakers with having taken a part decidedly hostile to either of the parties engaged in the late war. He was opposed to the employment of personal arguments of that character; otherwise, when the late Under Secretary for Foreign Affairs accused the Chancellor of the Exchequer of having preferred a bill of indictment against Austria, he should have accused the hon. Gentleman himself of having preferred a bill of indictment against Sardinia, of sympathizing with the oppressor, of having no sympathy for the oppressed, and of employing with respect to the eminent Count Cavour language which would find but small echo in that House, and which would find none at all in the country. For his own part he could truly say he had never offered a factious opposition to the late Government, and one reason why he at last voted for the Motion that overthrew it was his belief that if it continued in power its strong Austrian sympathies would have involved the country in the war then raging, and on the side least approved by the people. If he wanted any proof that that opinion was correct, he should have found it in the speeches of the hon. Gentlemen on the opposite side of the House. Their sympathy with Austria—presuming that their acts would have accorded with it—must have involved England in that deplorable war. No one could condemn that war more than he did. He believed that the hecatombs of victims who had been sacrificed during its progress had fallen for no useful purpose, and that all that had been gained by it could have been gained by peaceful means more thoroughly and more lastingly. But as war had been waged—and they should not forget that the Austrians had been the first to enter their neighbour's territory—he heartily rejoiced that the Austrians had not been the victors in the struggle. The question, however, they had then to consider was, whether they should tie the hands of Her Majesty's Government in such a way as to prevent them from shaping their policy in that matter according to the nature of the circumstances which might hereafter arise. They were not asked by the Amendment of the hon. Gentleman the Member for Bridgwater (Mr. Kinglake) either to affirm or to negative the Motion of the noble Lord the Member for Haddingtonshire, but simply to declare that it was not desirable that question should be put. He felt persuaded that a British House of Commons would never fetter the discretion of any Ministry which possessed their confidence, as the discretion of the present Government would be fettered by that Motion, in a matter so closely connected with the highest interests of humanity, as well as with the honour and welfare of this country.

THE O'DONOGHOE said, that he wished to be assured that peace had actually been concluded between France and Austria, because some of the most influential Members of the Government had spoken in a manner that might lead the House to suppose that the conditions of a peace were not really settled at Villafranca—that it was a mere preliminary arrangement worth nothing unless confirmed by the other great Powers of Europe. Now, he believed that the Emperor of the French had certain objects which he thought worth a war to obtain. He engaged in that war, and having in several battles proved the supremacy of the French army, he accepted a peace the conditions of which were settled at Villafranca. At least one of the contracting parties considered that the peace of Villafranca was a final settlement, for the Emperor of Austria was averse to the idea of a Congress; he assumed there was nothing for it to do. And could they suppose the French Emperor, after having exposed his army to the risks of a campaign, would now invite the commencement of a campaign of diplomacy and intrigue, having the avowed object of undoing all that had been effected by the victories of Magenta and Solferino? It could not be expected that this peace, which had disturbed the equanimity, if not the equilibrium of Europe, should be settled by the Powers that were only spectators of the war; nor would the Emperor of the French have proposed the articles of a peace only to invite diplomacy to make them perfectly nugatory. He believed that Europe had to decide between accepting the articles of the peace of Villafranca and a renewal of the war, and if he were right in that impression, Her Majesty's Government would, he believed, best consult their honour by supporting the Motion of the noble Lord the Member for Haddingtonshire, because, as the peace had already been concluded upon distinct and specific grounds, all that they could do in a Congress would be to assist in carrying out its details. The articles agreed on at Villafranca, they might depend on it, were the very essentials of the peace; nor could they be departed from without an infringement of the most sacred rights of Austria and a violation of the word of the Emperor of the French. It mattered not what they said of Austria; he believed she still possessed much of the spirit that had been called "the cheap defence of nations," and there could be little doubt what would follow an appeal to her chivalry. On the other hand, could the French Emperor be so regardless of his honour as to break through the most solemn engagements made with a brother monarch only a few weeks after they were contracted, not through the mouths of old and querulous diplomatists endeavouring to throw dust in the eyes of the world, but made by two men who had been witnesses to scenes that must have filled their hearts with every generous emotion. He contended that France would not assent to any violation of the articles of Villafranca without the consent of Austria, and that such consent on her part would be an act of suicidal folly. In what respect was the title of Austria to the Lombardo-Venetian States better than that of the grand Duke of Tuscany, the Duke of Modena, or the Duke of Parma to their dominions? If a change of Government was effected in any of these States it must be carried out in principle in the others. They could not say to the people of Modena, or Bologna, or Tuscany, "You wish for a change of Government, and you shall have it," and then turn round to the people of Lombardy and say, "Although you wish for a change you shall not have it." He might be told the people of those countries wished for a change, but he did not believe they desired it to the extent that was alleged; and even if it was so he thought hon. Gentlemen opposite were promulgating a very dangerous doctrine, and one on which they would be very unwilling to act at home. When the hon. Member for Birmingham (Mr. Bright) addressed tens of thousands of people in the borough he represented, or in Manchester, Glasgow, or Edinburgh, the idea that the opinion of those thousands should be taken as an expression of the public mind of England was ridiculed by hon. Gentlemen opposite, who, when it suited their convenience, sustained the cause of men who were regarded in their own country as a miserable set of street brawlers, and whose reputation in other countries was far from creditable. What proof had they that the people of Italy, of

Tuscany, or of the Roman States wished for a change of Government? Had the feelings of the clergy, the peasantry, or the country gentlemen been ascertained on the subject? No; but hon. Gentlemen opposite had readily espoused the cause of those who were only the advocates of riot and disorder in the countries to which they belonged. He would support the Motion of the noble Lord (Lord Elcho), who, he trusted, would press it to a division, for he was confident that if Her Majesty's present Government were allowed to interfere in the affairs of Italy, their intervention could only lead to confusion and disorder. The noble Lord at the head of the Government and the noble Minister for Foreign Affairs were still in pursuit of a phantom which had been the fixed idea of their lives. That idea was ostensibly the destruction of the temporal power of the Pope, while in reality they had sought the destruction of the Catholic religion all over the world. He rejoiced to find, however, that there were others as well as the noble Lords who had fixed ideas, and that they numbered among them the Emperor of the French and the Emperor of Austria, who he was certain would never consent to the removal of a single stone from the sacred edifice of the church. He had listened with great pain to the speech of the Chancellor of the Exchequer, and as one who professed the Catholic religion he should be sorry to have to sit on the same side of the House with, or even near to, that right hon. Gentleman. The right hon. Gentleman said, at least in effect, that the people of the Papal dominions were chained to the earth. Now, that was not true. It was a statement which was not founded in fact. It was contradicted by the condition of the people, and every one who was acquainted with or had travelled in those dominions must admit that, in a temporal sense, there did not exist in the world a more popular Sovereign than Pius the Ninth.

Mr. MONCKTON MILNES said, some ingenious author had written an essay upon historical events that had never occurred, and the occupation of the House that evening appeared to him to have been of a very similar character. They were not only called upon to pronounce an opinion upon an event which was in itself extremely improbable, but hon. Gentlemen had taxed their imaginations in drawing a series of pictures of a great Congress to be held nobody knew when or where, and that, too, with a minuteness of detail to which the history of no Congress that had ever occurred could make the slightest pretension. If the noble Minister for Foreign Affairs (Lord John Russell) attended that Congress, should it ever take place, he would, at all events, be forewarned of all the difficulties he would have to encounter, and would be acquainted with the duties he would be required to discharge. He (Mr. M. Milnes) was obliged to the noble Lord (Lord Elcho) for having brought this question before the House, because it had elicited from the Chancellor of the Exchequer a speech which he believed fully expressed the opinions of the people of this country with regard to the neutral position which the British Government ought to maintain, and expressed it in that noble language which his right hon. Friend alone, perhaps, in that House could command. His noble Friend had looked into a dictionary for the purpose of ascertaining the meaning of the word "neutral." But whatever that meaning might be, when the cause of freedom and the rights of humanity were in the balance, the English people would never, thank God, remain in that state of stolid indifference which his noble Friend seemed to think would be necessary for the preservation of an attitude of neutrality. He believed it was the duty of our Government to be neutral in the true and loyal sense of that word; but he also believed that duty would not prevent them from frankly expressing their opinion upon any subject affecting the interests of mankind which might be brought under their notice. An hon. Gentleman opposite had adopted a somewhat singular tone in dealing with the question, and seemed to entertain the opinion that this country, while enjoying all the advantages of a free constitution, should endeavour to force upon the subjects of another State a tyrannical and unpopular Government. He thought any citizen of the Roman States might well ask that hon. Gentleman, "Am I not, too, a Roman Catholic? Have I not been bred as you have in Catholic principles and doctrines? And yet may I not believe that the secular Government of the Pope is not perfect, and may I not be allowed to endeavour to change it?" He believed that, if they left the Italians themselves to settle these matters, they would manage them a great deal better than Austrians, Frenchmen, Englishmen, or even Irishmen. He thought it was quite as improper to attempt to excite any revolutionary and factious feeling as it was to endeavour to limit the liberality of Governments, or to continue the existing state of things in Italy. He could assure the hon. Member (The O'Donoghoe) who had intimated that the clergy, the peasantry, and the country gentlemen in Italy, were all favourable to the views of the French Government, that he was totally misinformed on the subject; for, having himself lived for a long time in Italy, he believed that the desire for moderate and constitutional liberty existed among all the educated classes, and even to a considerable extent among the clergy, many of whom were sprung from the educated classes. Those Italians who supported the present form of administration in Italy were a miserable minority, and would, if those countries were left to themselves, be totally supplanted. The Liberal party in Italy was not to be confounded with the partisans of violent change. He hoped the House would not stultify itself by voting in favour of that Motion. Circumstances might arise in which the refusal of England to take part in some Congress would not only be impolitic in itself, but unmannerly to other Powers. If the late Government had remained in office, and the war had been continued until Hungary was in revolt, and the whole Austrian empire in danger of being swept away, no one could doubt that had a proposal of a Congress then been made to them with a view to save that empire, they would have thought it consistent with the dignity and position of England to interpose for such an object. That might, indeed, be called a mere conjecture, but then that was an evening of conjecture. The noble Lord the Member for Haddingtonshire ought to be content with the debate he had elicited, and should withdraw his Motion.

MR. HENNESSY: I have listened, Mr. Speaker, with attention to the attacks which have been made by the Government and by the Liberal party in this House on Austrian and Papal rule in Italy. With the exception of what has fallen from the Chancellor of the Exchequer, there has been nothing very new or surprising in these attacks. The fables and fallacies with which the country has been long familiar have been again and again repeated. The supporters of the noble Viscount opposite (Lord Palmerston) have reiterated the old assertions in the old style, and have, as usual, not condescended to back up their statements with even a shadow of common evidence. We have been told—and the assertion is made in this commercial country with great force, and as if it were an overwhelming argument—that trade, manufactures and commerce, have been destroyed by the despotisms of Austria and of Rome, and that what we are fairly enough inclined to regard as elements of national prosperity here are not to be seen in Italy, except under the constitutional and British-like administration of Sardinia. That such assertions, coming with all the weight of official responsibility and of supposed official knowledge, should have produced an influence on a practical-minded people like the English is not astonishing. In no country in Europe is public opinion so strongly tinctured with a material spirit as in Great Britain. Whether such a state of public opinion be sound or unsound, it is perfectly evident that the Members of the Government in their severe criticisms on the conditions of Italy avail themselves of its existence and modify their assertions with its various phases. The time seems to me to have come when some effort should be made to rescue the public mind from influences so powerful and so dangerous. The assertions to which I have referred are totally unfounded. Not only is it untrue to assert that trade, manufactures and commerce, have been destroyed by Papal and Austrian rule, and that the only portion of Italy in which they flourish is the kingdom of Sardinia, but the very contradictory of this proposition is literally correct. Trade, manufactures and commerce, are making much greater proportionate progress in Austria, Italy, and in the Papal States, than in Sardinia. Unlike those who have spoken from the Government benches, I shall not content myself with making bare statements and simply repeating them. I shall take the liberty of submitting to the House what in my humble judgment seems to be irresistible proofs of the accuracy of my assertion. Nor will I call foreign witnesses to furnish the evidence on which I rely. I undertake to prove that portion of the case to which I am confining my remarks by an appeal to a tribunal which commands the complete confidence of this House. The tribunal to which I refer is our own Foreign Office in Downing Street. In the archives of that office are lodged certain State papers of great practical interest, which Her Majesty's Government has not thought fit to notice. I shall not presume to criticise this neglect of valuable and instructive materials by those whose duty it was to use them. I shall leave those who have been influenced by the assertions and concealments of the Government to perform that task. The State Papers to which I allude are certain despatches sent to the Earl of Clarendon and his successors by our Ministers at the Courts of Italy touching the manner in which the governments of the various Italian States had promoted the prosperity of the people. If any hon. Member would read these documents in our Foreign Office, and compare the accounts given by our Minister in Sardinia, by our Minister at Venice, and by our Consul at Ancona, he would arrive at the conclusion that the national prosperity in the dominions of the Sovereign Pontiff and in the Venetian part of Austria had been greater, year after year, than in Sardinia. Commerce, manufactures, agriculture, and all the other elements of material wealth, had made greater progress under the sway of His Holiness, and under Austrian rule in Italy, than they had done under the boasted Government of Piedmont. Mr. Erskine, Her Majesty's Secretary of Legation at Turin, writing to the Earl of Clarendon on the 1st of January, 1858, gave anything but a flattering description of the present state of Sardinia. In his despatch he says:—

> "Under the present state of things the manufactories are dispersed through the country in out-of-the-way places, and are compelled to carry on a variety of processes each requiring the nicest management, conducted on principles of patriarchal simplicity which appear to me incompatible with any great extension of trade."

With respect to the mining operations of Sardinia, our own diplomatic officer stated that the pig-iron now produced in her mines did not exceed 6,000 tons per annum, or only about half the quantity manufactured in 1840. Again, the same authority said that the great extent and fertility of the plains of Piedmont would induce a stranger to believe that her agriculture was eminently productive, but that such was only partially the case; while in regard to her wine trade he expressed a hope that it might yet resume its ancient position. With reference to the railways, the alleged success of which has often been the boast of the admirers of Sardinia, Mr. Erskine says, "The Government lines do not yield 3 per cent on the capital." It appears that our Ministers at Turin had to find out nearly all these valuable facts by personal inquiries, for in the same despatch he complains that—

> "Almost every branch of statistics is so neglected by the Sardinian state, that I have had some difficulty in obtaining any distinct notion as to the National progress."

Consul General Harris told a very different tale of Venetia, which was under Austrian rule. His report showed that there "trade was improving, a brighter era opening for commerce, and ample encouragement given to mercantile speculation." He speaks of these improvements which resulted from the paternal care of the Government, as "progressive and durable," and as "being the means of considerably augmenting the material well-being of the Lombardo-Venetian kingdom." This important despatch is dated 18th March, 1857. The material progress of England, and of different parts of the Empire has often been illustrated in this House by a reference to the increase of shipping at our principal ports. Let us apply this practical test to Sardinia, to the Papal States, and to Austrian Italy, and it will be seen that the statements which I have read from the neglected despatches of our diplomatic agents are fully confirmed. While the aggregate of British shipping entering Genoa, the principal port in Sardinia, had decreased more than 2,000 tons between 1853 and 1856, the only years for which I could obtain complete returns, there had been an increase of British shipping entering Ancona, in the Papal States, of 21,000 tons within the same period. In Venice there had been a corresponding increase of 25,000 tons. If we take the total tonnage of vessels of all nations, we shall find the same striking result as in the case of British shipping: in Sardinia a falling off, whilst in the Papal States and in Venetia there is, during the same period, a very great increase. From 1852 to 1856 the total shipping in Genoa declined about 10 per cent. At the very same time the total shipping at Ancona increased 90 per cent, and at Venice 40 per cent. Sardinia had the advantage of the form of Government which we wished to extend to other States, and the result of constitutional Government in that country had been, that her taxation was increased to an extent that crippled her trade and commerce, and excited dissatisfaction and alarm among her population. Mr. Erskine, writing from Turin to the Earl of Clarendon, said he had found it difficult to persuade the people of Sardinia that their present system of Government was as good as that which they had changed—that a constitutional system must necessarily be more expensive than an absolute one. The taxation of Sardinia in 1820, was 63,000,000f.; in 1830, it was 70,000,000f.; in 1840, 78,000,000f. That is, the normal increase of taxation every ten years appeared to be 7,000,000f. From 1847, when her Constitutional Government began to come into full operation, down to 1857, her taxation increased 50,000,000f. Between 1857 and 1858 the increase of taxation was equal to the former decennial increase. It should not be forgotten that all these facts—and they are the precise facts by which we must determine the material condition and prosperity of the Italian States — are gathered not only from purely English sources, but actually from the official returns and records prepared in our own Government departments. Evidence of such importance carries its own weight and requires no further comment. Although one can hardly venture to hope that it will at all diminish the virulence of the attacks which the Liberal party here make on the Pope and on the Emperor of Austria it may at least have the effect of altering the direction of the assault. But whether the enemies of Italian order refer to material progress or to intellectual progress the result will still be the same. The administration of the Sovereign Pontiff and the Government of Austria in Italy will be found to be far superior to the Government of Sardinia in this respect also. From the reports of the Ministers of Public Instruction, as well as from the impartial testimony of an American author, I find that Austria can not be charged with neglecting the intellectual advancement of Italy. The same can be said of the Papal Government. At this moment, to use the technical language of educationists, intellectual education is there one in six, while in England it is only one in eight and a quarter. The noble Lord the Secretary of State for Foreign Affairs had said, that the secular element ought to be introduced into the Government of the Papal States. I heard that observation with much surprise, as in point of fact those States had long been secularized. The Chief Council of the Pope was composed of eight persons, all of whom, with one exception, were laymen. Then it had been said, that the courts of justice were presided over by ecclesiastics; but in the Ministry of Justice, composed of nineteen persons, only one was an ecclesiastic; in the civil tribunals there were three ecclesiastics and 116 lay judges; in the criminal tribunals, 620 lay officers, and not a single ecclesiastic; in the Chamber of Notaries, sixteen laymen and not one ecclesiastic; in the department of the Minister of Finance, three ecclesiastics and 2,017 laymen; in the Ministry of Commerce and Public Works, two ecclesiastics and 161 laymen; in the Ministry of War all were laymen; in the Ministry of the Interior, twenty-two ecclesiastics and 1,411 laymen. When, therefore, the noble Lord the Foreign Secretary talked of introducing the secular element into the Government of the Pope, he displayed a misconception—to call it by no other name—of that Government which was quite unworthy of an English Minister. I object to a Conference, because I should have no confidence in the noble Lord, or in any Plenipotentiary whom he might send there. Looking to the antecedents of the noble Lord, and to the well-known opinions with reference to the Government of His Holiness which influence the present Ministry, I should indeed regret to see him, or any Member of his party, intermeddling in an Italian Congress. I cordially agree with the expression of opinion which has fallen with such force from the late under Secretary for Foreign Affairs (Mr. Seymour FitzGerald), that the noble Lord's antipathy to the temporal sovereignty of the Pope is alone a sufficient reason why we should preclude him from intruding into such a Congress. It is some satisfaction to know that even if the present Ministers and the whole of the Liberal party be arrayed against the Pope that there is still in this House a group of enlightened Statesmen who will not close their eyes to facts, who sympathize with the ancient monarchies of Italy and who are ready to defend the cause of order and of good Government whenever it is attacked.

Mr. HORSMAN said, the Motion of his noble Friend involved an important principle, the discussion of which had been most carefully evaded, while the Motion itself had been represented as something entirely different from that which the plainest construction would show it to be. He had listened with admiration to the powerful and glowing speech of the Chancellor of the Exchequer, but he did not know whether most to admire its eloquence, or to be surprised at its omissions. The right hon. Gentleman carried with him the sympathy of the House when he spoke of the past and the future of Italy, and showed besides how Austria would be strengthened by the surrender of her Italian provinces; but then he failed to point out how either the happiness of Italy or the strength of Austria would be advanced by England's going into a Conference. Now, if the Motion were really as represented, the unlimited and unqualified assertion of an abstract principle, to the effect that England should, under no circumstances, go into a Congress for the future settlement of Italy, so irrational a proposition could not have been for one moment entertained by the House. But, in fact, it was the reverse of that—for it was a very precise and definite application of an existing rule of policy to a case formally submitted to the Government, and actually awaiting their decision at the moment when notice of this Resolution was given. That had been strangely lost sight of. It seemed to be conveniently forgotten that the Motion originated in the declaration of the Prime Minister, that England had been invited to join a Conference, and that the Cabinet were at that time contemplating the very step which this Motion condemned. What was the noble Lord's declaration, on the discussion on the Budget, just three weeks ago?

> "My noble Friend stated, that whether we should be parties to a Conference or not was a matter under consideration and would depend upon circumstances. . . . . . We may enter into a Conference for the purpose of improving arrangements not finally concluded, and still open for consideration; but it is no part of England's duty to make herself simply the recording agent of transactions in which she has had no part or voice."—[3 *Hansard*, clv. 210.

He (Mr. Horsman) interpreted these words to mean, as plainly as language could express, that they might enter into a Conference for the purpose of improving the details of that treaty, the basis of which had been concluded at Villafranca. His noble Friend (Lord Elcho) immediately took the alarm, and next day gave notice of a Motion directed, not against something uncertain and remote, but grappling at once with the announcement of the First Minister that a proposal had been made to the Government on this subject, and was still under their consideration. Some delay, for which his noble Friend was not responsible, had since occurred, and in the interval, it appeared that the idea of a Conference had, for the moment, been abandoned. But on what ground abandoned? Was it because, as stated in the Resolution, our going into a Conference for the purpose there avowed, would be at variance with the policy to which Parliament stood pledged? Or, was it only a temporary abandonment, necessitated by the failure of negotiations as yet to remove preliminary impediments the main impediment being the indisposition of Austria to submit to such a Congress? But, if that were all, the other powers might possibly find means to reassure and reconcile Austria to that proceeding, and Austria herself might ere long join in that invitation to England; and during the recess, which the Member for Bridgwater truly said, would give time for much change of circumstances, that irrevocable step, with all the consequences which the noble Lord foreboded, might be taken, when Parliament was helpless to avert, as it would afterwards be powerless to remedy, the mischievous sacrifice of the honour and interests of England. Under the pressure, therefore, of a very possible, though not certain contingency, his noble Friend called upon the House of Commons to stand by its own recently established policy—to maintain that position, morally and politically so sound, of neutrality and non-intervention—and especially to avoid being lured at the eleventh hour to exchange the attitude of moral strength and dignity for a weak, blind, rash plunge into an abyss of complications out of which the oldest statesmen in Europe could not pretend to see the way. Now, to judge of the wisdom of this advance they must look at their position as a whole—not starting from the peace of Villafranca, but going back to the commencement of the Italian negotiations—so as to steer by the light of their own principles recently affirmed, and their own pledges publicly and repeatedly recorded. From the outset of these Italian complications the British Cabinet laid down very clearly and positively two principles of conduct—first, that it was their duty, representing the national sentiment, to make every effort to avert war; and secondly, that it was equally their duty to observe a strict neutrality, whether in war or peace. Those principles, he must say, appeared to him to have been faithfully and honourably maintained—and it was only right to acknowledge—what was comparatively unimportant to the late Ministry, whose official existence was now a matter of history, but was most important to the nation as now strengthening its position—that the efforts of the late Cabinet for peace were sincere, and in the face of difficulties and discouragement, were patient and untiring, that their declaration of neutrality, wise and unhesitating at the commencement of those negotiations, was firm and unwavering to their close; and, taking their policy as a whole—not picking out peculiar and detached passages here and there—he believed it faithfully represented the national sentiment, and truly upheld the national character and honour. Such was our relation to the Italian question when the present Government succeeded to power. There had been among all ranks and classes, from the Queen and Her Ministry and Parliament, to the lowliest of Her People, one general declaration of neutrality; and probably never on so large and complicated a question was there such entire unanimity on both sides of that House and among all classes of the country. But now they were told that the present Motion would fetter the discretion of the Executive. The Chancellor of the Exchequer said that it was an unusual Motion, and did not allow to the Government so free a scope as they ought to have. He (Mr. Horsman) did not want to fetter the discretion of the Executive any more than they had themselves fettered it when, on the other side of the House they declared in favour of neutrality. He would allow them free scope for everything except to diverge from that policy which that House and the country unanimously affirmed. When he was told that the Motion was unusual he replied that the course of the Government was unusual. The principle of neutrality was universally affirmed when the present Ministers sat on the other side of the House; but when they moved to the Ministerial bench which, but for their pledges of neutrality they would not have occupied, then their neutrality was exchanged for partisanship. The hon. Member for Bridgwater said that the House had to choose between fettering the Government or throwing on the Government the whole responsibility, and that, for his part, he proposed placing them under responsibility. But what was that Ministerial responsibility? Was it not the weakness and bane of England that there was no official responsibility at all? A Minister might, by the omission or commission of some act draw on himself the displeasure of the country, but the worst that befell him was the loss of office. That was no great punishment for men so independent as those usually occupying the Treasury Bench. They still held the foremost rank in that House, were still the leaders of opposition, and in a few weeks might be Ministers again. Therefore he

said that Ministerial responsibility in that House being so very light, it was the duty of the House, in proportion as the Ministers were irresponsible, to take precautions to prevent that which afterwards it would have no power to remedy. The first important event which occurred after the new Ministry came into office was the convention of Villafranca, which appeared somehow to have been effected through the unconscious agency of the British Minister. There was a mystery, not yet unravelled, but on which the Foreign Secretary might perhaps throw some light to-night, in that visit of the French Ambassador to the English Secretary of State, when he placed in his hands that little bit of paper with something written on it, which the English Minister did not approve, and did not disapprove—did not recommend, and did not deprecate—but of which he made himself the channel so as to alarm the Emperor of Austria into the belief that the document bearing the English postmark must have something of an English parentage and character. Great men sometimes achieved mighty results with small instruments, and this little bit of paper was a potent auxiliary to the Emperor of the French; for by a happy use of it the wished-for peace was very promptly effected—and the future of Italy resettled by a flourish of two Imperial pens, without the presence of a single counsellor or witness. Europe was not consulted—indeed it was to shut out the intervention of Europe that the reconciliation was so hurried. England was ignored, and the tardiness evinced in communicating the terms of peace to England was a significant intimation that it was no business of hers. In a short time, however, it was found that that peace would not work, and that it left matters infinitely worse than before the war. Italy was exasperated, France disappointed and indignant, and the Imperial prestige was sorely wounded. Then it appeared that his Imperial Majesty bethought himself of England, and probably thanked his star that a change of Administration in England had restablished in power a Minister who had always been his warm friend—not to say, his devoted adherent—who had twice sacrificed power to serve him—and who was the man, if such an one could be found, to persuade the English Parliament to renounce that new principle of neutrality of which it was lately so much enamoured. Therefore, England was his Imperial Majesty's hope, and the Congress was to be his instrument; and if Europe would but agree to it, and if England would but send to it a representative to be baffled and played with, and outvoted and outwitted, and bamboozled according to all established English precedent, then the result would be most satisfactory in relieving France of all her difficulties, and saddling England with new and embarrassing responsibilities. Well, the proposal was made, and the eagerness with which the noble Lord at the head of the Government snatched at that proposal justified the Emperor's exalted opinion of his fidelity and devotion. It was this readiness on the part of the noble Lord to go into the Congress that made the noble Lord the Member for Haddingtonshire give notice of his Motion. That Motion would test the House of Commons. It was a most valuable test of the sincerity of the adhesion of hon. Members to that new principle of foreign policy of which they lately made such boast. They must remember that there had been two principles of foreign policy contending for ascendancy in that House. First, there was the principle of perpetual intermeddling in every nook and corner of the world—in every foreign intrigue and petty cabal—encouraging revolutions at one time, secretly abetting despotism at another — assailing without dignity, and retreating without honour—being bullies to the weak, cowards to the strong, and making England odious and detested where she was not despised. There was another and a different foreign policy—a policy of conciliation and non-interference, which admitted that England, with her vast and various interests, could not pursue an isolated policy; but at the same time maintained that interference in foreign affairs should be the exception, and not the rule; and should be strictly limited to cases where it was a plain duty, and where English interests, identified with those of Europe, might be not less certainly, though they were more remotely affected; but this condition was also to be superadded—that there should be a reasonable hope of at least some small amount of good resulting from interference. The first of these principles long had the ascendant in this country, and he was sorry to say that it was most in fashion when the Liberal party were in power. The other and more vulgar policy, of confining ourselves more to our own affairs was for the first time officially recognized and adopted in the case of Italy by the late Administration. It was one of the advantages we derived from having a weak Government in office; they settled several questions for which the Liberal party had vainly contended for years against its own leaders. This was one of them; the Government of Lord Derby had not power enough, if they had had the will, to set the national sentiment at defiance; but they recognized and adopted it, and did so manfully and ungrudgingly; and, had it been otherwise, they who now sat on the Ministerial side were ready to have coerced them into it; for they were then all non-interventionists, and the more they suspected the sincerity of their opponents, the more vehemently and virtuously they proclaimed their own. But no sooner did they pass over to the other side of the House than the latest converts became the first backsliders. Non-intervention and neutrality might be good catchwords to frighten the diplomatic babes sitting opposite, but veteran statesmen cast them to the winds—and the more turbid the sea of complications, the more obvious and exciting the plunge. Well, but how did the great Liberal party like the plunge? Had it no regard for its consistency? Was it ready to follow the Member for Bridgwater in voting, though with every modification of sentiment and language, that what was black on one side of the House is white on the other. In considering a Congress they must address themselves to it as a plain, practical business question. The settlement of Italy by a Congress was not a sentimental question. The Liberal party abjured sentiment. It was a great practical body, occasionally philosophical, but never in his recollection sentimental. As a plain matter of business they must ask two questions, first, what did they propose to achieve by going into the Congress, and next, what chance was there of their achieving it? There lay the whole matter of debate; and he had listened in vain for any answer in the able and eloquent speeches that had been delivered. They all knew what ought to be the principles upon which the future settlement of Italy should be based. They had been enunciated wisely and frequently by the noble Lord the Secretary for Foreign Affairs and with great accuracy and feeling. First, the future government of Italy should be in conformity with the wishes of the Italians; and next, that every foreign soldier should be marched out of Italy, never to return. Now he would ask, had they any hope that any European Congress would at present agree to those principles as a basis for the future settlement of Italy? The Congress would be composed of a majority of despotic powers; and they remembered how happily Lord Clarendon had very recently ridiculed the project of one despotic power joining another despotic power to persuade a third despotic power to go into Congress to give free institutions to Italy. And was not that a tolerably fair representation of the Congress which they were asked to join. He believed that whatever reasons there were against our being parties to the late war, those reasons were infinitely stronger against our being parties to a delusive peace; for he believed the present peace must be the commencement of new and more perilous complications. The noble Lord at the head of the Government had lately observed that one of the results of a Congress would be to prevent another war in Italy. He (Mr. Horsman) believed that the Congress would have within itself the elements for a dozen wars. If the two Emperors could be supposed to have met with a preconcerted design to contrive something that should embroil Italy and embarrass Europe for the period of their natural lives, nothing more ingeniously mischievous could have been devised than this tangled peace —the disentangling of which—devolved on a Congress—might find occupation not only for all the rulers and diplomatists of Europe, but for their armies also, as far as any eye could see. On the first evening that the Congress was discussed in that House, three able speeches in its favour were delivered by three Members of the Cabinet, and it would be admitted that if argument and rhetoric could place the Congress in a favourable light before them, it must have been done on that occasion. But what impression did those speeches produce on the House? If they wished to know the difficulties that should repel and deter them from that hazardous enterprize, they had them set forth in elaborate detail by the Secretary of State for Foreign Affairs; if they desired a forecast of the embarrassments that would attend its progress, the jealousies and discords, and passions and intrigues that would embroil its sittings, they were graphically delineated by the First Minister of the Crown; and above all, if they would be warned of the real and abiding perils to which they would be committed on emerging from the Congress, they found them in the crowning speech of the Chancellor of the Exchequer, when he told them, in terms almost identical with his language that evening, that it was their duty to go into Congress to lend assistance to France in the pursuit of objects favourable to European peace and order. Those words, European peace and order, in the mouth of a despotic ruler were susceptible of a wide construction, and when uttered at the head of half a million of soldiers they had even an ominous signification. It was not a little startling to hear at this time of day, that the principle of our foreign policy was to be an indentification with the foreign policy of France, and that we were once more to seek and to foster those intimate and exclusive relations that had already too much isolated us in Europe. The Chancellor of the Exchequer said we ought not to leave France to strive alone in the great objects she is endeavouring to attain, but we are to ally ourselves with her in the attainment of those objects, and lend her our assistance. What does this mean? If it means anything, it means this—that we recognize the legitimacy of that character which France has assumed as the champion of peace and order in Italy—that we adopt, recommend, and promote her policy—endorse her acts—sanctify by our complicity the means—and crown with our approval one of the grossest outrages on the law of Europe, and the most deliberate invasion of the rights of an independent Power, that the world has witnessed since the days of the first Napoleon and resulting in a greater destruction of human life than, even in his day, was ever concentrated within so short a period. He said that, because he thought it could be shown that France was the aggressor in the war, and he could not but observe how lightly the Chancellor of the Exchequer had skimmed over that part of the speech of his noble Friend (Lord Elcho). The right hon. Gentleman did indeed correct the noble Lord upon a trifling inaccuracy as to the date when the Austrian reinforcements were marched towards the Sardinian frontier; but he did not utter anything like a denial to the assertion that the war was part of the premeditated policy of France, determined upon long anterior to anything taking place of an aggressive character on the part of Austria. And indeed, it might be asked, had Austria taken any hostile step on the 1st of January, when the Emperor of the French addressed to Baron Hubner those memorable words which in one week depreciated the value of European securities by £60,000,000? Sir J.

Hudson, writing to the Earl of Malmesbury on the 3rd of January, said:—

> "In the present condition of Italy, these words are likely to be considered as tantamount to a declaration of war, and therefore we must not expect any diminution of the agitation which now exists in this Peninsula."

But there was another and stronger evidence of early designs on the part of the Emperor of the French, with whic least one Member of the House of Commons was acquainted before it was generally known to others. In a despatch from Lord Malmesbury to Lord Cowley, on the 10th of January, the late Foreign Secretary said:—

> "I am aware, from a conversation which Lord Clarendon held lately at Compiègne with the Emperor, and which his Lordship repeated to me, that his Imperial Majesty has long looked at the internal state of Italy with interest and anxiety. It may be, although I have no reason for believing such is the case, that he imagines that in a war with Austria, and having Sardinia as an ally, he may play the important part of the regenerator of Italy."

Now the House would recollect that this conversation between Lord Clarendon and the Emperor was at Compiègne in the month of November. The noble Lord at the head of the Government must be presumed to have been present at that conversation which, in Lord Clarendon's opinion, was so important an indication of what was passing in the Imperial mind in regard to Italy, that he communicated it to Lord Malmesbury, who again made it the subject of a despatch which he instructed Lord Cowley to read to Count Walewski. It might be said that in the month of April the preparations of France were not complete, and that she would have preferred that the question of a Congress should have been continued for a time; but the promptness with which her preparations were completed, and the rapidity and accuracy with which 200,000 men were transported to Italy, showed that her preparations were in a stage of advancement; and no one reading the blue-book could now affirm that the invasion of Italy by France, and the driving out of the Austrians by the French army, not for the sake of Italian freedom, but of French policy and aggrandizement, were not objects predetermined and long provided for, before a single Austrian soldier had crossed the Sardinian frontier. He thought the statement made that evening, that it was the policy of the Government to ally itself closely with France in order to promote French policy in Italy, was alarming and to be regretted, as showing that the Government were not only not alive to the national sentiment upon this question, but were about to place themselves in direct antagonism to it. They did not seem to be aware that the true reason why the English people had not evinced a more active sympathy with the cause of Italian freedom was to be found in their distrust of France. He concurred with the right hon. Gentleman the Chancellor of the Exchequer, in that which he had stated with respect to the very baneful effects of the abominable tyranny which had been exercised by Austria in Italy. It was that which, in the eyes of Englishmen made Austria the most detested of modern despotisms; and in proportion as they were shocked and repelled by Austria, to the same degree were their admiration and sympathy accorded warmly, heartily, generously to Sardinia. But when Sardinia, the representative of the pure principles of freedom, threw herself into the arms of France—placing herself in the day of battle under the banners of France and in the hour of victory beneath her feet—then did she make so desperate a throw for liberty, that no English minister durst share the responsibility of such a stake; for, much as we disliked the rule of Austria still more did we distrust France; our hearts throbbed for Italy enslaved by Austria, but they trembled for Italy liberated by France. It was for these reasons he was of opinion, that while the English nation was desirous of maintaining friendly relations with France, she did not wish to enter with her into too intimate and exclusive an alliance; or to march under the French banners in a crusade of peace and order, especially when that order was exemplified by the internal condition of France herself, and the peace illustrated by a hecatomb of human lives so uselessly wasted on the plains of Italy. There was, however, another deeper and stronger reason why he, for one, objected to enter into a Congress as the ally of France. He alluded to that law of public morality which he thought a nation like England ought to be the first to present an example of respecting. We could not hold back France from Italy, or avert the carnage which had there taken place; but at least we need not be the first to rush forward to crown the aggressor, and to grasp the hand still red with the blood of 100,000 human victims. For these reasons he hoped England would not go into the Congress—nominally as the ally—but really as the instrument and scapegoat of France. They could not by so doing raise Italy, they could only lower England; and it was their duty to Italy no less than to England, not to interfere unless they could do so with dignity and effect; and their presence in Congress, in the present circumstances, would be an act of inconsistency and folly sure to be followed by disappointment and dishonour.

MR. SIDNEY HERBERT: Sir, I confess, after listening to the speech of the right hon. Gentleman who has just spoken, and perceiving how contemporary history may be distorted within a few days after the happening of the events which it professes to narrate, I scarcely know what degree of credence is to be attached to the recital of circumstances of remote occurrence. The right hon. Gentleman brings forward as one of his first accusations against the Government the alleged fact that we snatched at the proposal of a European Congress, but I cannot discover where the right hon. Gentleman has found the evidence on which that statement is based. I recollect my noble Friend the First Lord of the Treasury stated that a proposal had been made to the English Government to enter into a European Congress, not, as has been asserted, for the purpose of settling the details of peace, but with the object after peace had been settled on those terms with which the belligerent Powers alone have a right to deal, of deciding in common with the other Powers of Europe what measure should be taken with respect to the future of Italy. "But," the right hon. Gentleman contends, "we, the House of Commons, apparently have some knowledge on this subject which you, the Government, do not possess." Now, my noble Friend the Secretary for Foreign Affairs has stated very clearly all the difficulties which are involved in our taking part in a Congress. He says that before we take that course we must know first of all in what the treaty of Zurich consists, and what is the starting point from which we are to take our departure. Not possessing that knowledge, he gave no opinion as to whether we ought to go into a Congress or not. The right hon. Gentleman, however, is not so cautious. He seems to know everything about the Treaty of Zurich, which has not as yet been drawn up, and contends that to take part in a Congress on such a basis as that treaty presents would be unworthy of the representatives of this country. Now, it appears to me childish to talk of our going to settle the details of a peace which we have never been asked to settle. [Mr. HORSMAN: The Motion contains the words, "Settling the details of a peace."] Well, let me for one moment analyse the Motion, and in doing so I must do my noble Friend who is its author the justice to say that amid its many defects it contains one merit,—that of originality. He lays down, for instance, a political axiom which I suppose was never before heard of in any rational assembly in the world. He says we have maintained a strict neutrality during the war, therefore we have no right to meddle with the terms of the peace. My noble Friend is, at all events, entirely impartial in his view, and quite fulfils the conditions which he has found laid down in Johnson's Dictionary as to the interpretation of the word "neutrality." But is it, let me ask, a just proposition to lay down, that because we have preserved a strict neutrality in time of war we ought as a consequence never to have anything to do with any peace which may be settled between the Emperors of France and Austria. The noble Lord appears to me not to understand his own Motion. If he does, I should like to know what he means by the observance of a neutrality between two nations, with both of which we are on friendly terms, and which are allied with one another? Are we to continue in a state of indifference, without the expression of sympathy or opinion, because France and Austria happen to have been once at war? You may find such a proposition laid down in Vattel, but you will not find a response to it in human nature; nor, indeed, is it to be found in Vattel in reference to a state of things in which peace prevails. But my right hon. Friend who has just spoken says we snatched at this idea of a Congress. But I would ask, did either of the noble Lords near me, in the course of their explanations on the subject, state that we were going into a Congress? They indeed mentioned to the House the conditions without which we could not take part in any such assembly, but not one word did they utter tending to show that, come what may, be the circumstances favourable or unfavourable, into a Congress they intended to enter. But it is said no nation ought to go into a Congress to settle the details of a peace in the transactions which led to which she was not a belligerent. Now, in the transactions which led to the treaty of Paris, Austria was not a belligerent, yet she went into the Congress.

It may, however, be contended that Austrian neutrality in that instance was not an impartial neutrality with respect to Russia, but might more properly be described as a *neutralité inquiétante.* But then Prussia took no part in the struggle, yet she went into the Congress, and assisted at the general European settlement which subsequently took place. It is, therefore, absurd to say that for this reason this country cannot take part in the coming conferences with honour and dignity. The question with which we have now to deal, however, is not one which relates so much to the past as to the future; but then, in disposing of that question you must look to the past, in order that you may be furnished with a guide for your conduct with respect to the future. Taking that course, then, we find that Austria has governed Italy for many years; that she has there maintained peace and order with a strong hand and at the expense of great unpopularity. The necessity of her position, I believe, compelled her to act upon that policy, and I do not now seek to cast any blame upon her. Nobody supposed that she would give representative institutions to Gallicia or Lombardy; she governed them with an iron hand, because she found she could rule them in no other way, and, as is invariably the case with such a system, the evils which it was sought to dispel were increased by the means used for their repression. But when the war broke out the people of this country disapproved of it. They doubted the sincerity of the Emperor of the French, and did not believe that he would not seek to gain some material advantage from the contest. Now, however, that the war is over, we who strongly objected to it, who scolded everybody all round, who irritated all parties without influencing any, have no longer to consider whether it was justified, and must bear in mind that the whole circumstances of the case are changed. After all the sacrifices of blood and treasure that have been made, is there not to be some foundation laid for the non-recurrence of the causes that led to this war? The right hon. Gentleman the Member for Bucks (Mr. Disraeli), I must do him the justice to say, has always argued consistently on this subject. He has maintained that the Austrian rule and influence in Italy have been necessary for the tranquillity of the Peninsula; that the whole of Italy is filled with secret societies of the worst character and the most revolutionary designs, and that these societies demanded the repression of the strong hand. Well, that is a very intelligible theory, and it is one that obtains in a great part of Europe. But when you are about to decide what course you shall pursue, is it not well to inquire what have been the fruits of that system? Has it been successful? I do not ask whether Italy has been happy, but has it been tranquil? No longer ago than the Conference of Paris in 1856 this subject was discussed by the Earl of Clarendon? It was obvious that things could not go on as they were; that, with the present state of public opinion in Europe, it was impossible that there should not be a revolution, and that any revolution would be likely to lead to a European war. France has a traditional policy in Italy; and having that traditional policy in Italy, it was not likely that a member of the Bonaparte family would be insensible to the value of those traditions. Remember that although there are many parties in France there is no party with a purely domestic policy. Everything in that country has turned upon foreign policy. An alliance with Russia or an alliance with England was the cry of the politicians of that country during its constitutional government. France being in that position and Italy in that state, there is a strong temptation for the Government of the former to interfere in the latter country, and we have therefore to decide whether it will be possible, if we are asked upon terms likely to lead to a satisfactory result, for England to refuse to enter into a Congress by which something like a permanent arrangement for the peace and security of Italy may be effected. It is easy to say, as many glibly say, that the Italians are not fit for liberty. But what nation is fit for liberty before it obtains it? It is easy to say of a people before they have obtained liberty, that they are a turbulent, excitable, and bloodthirsty set. This may have been the language of King John before Runnymede. He may have said of the people of this country, that they were not fit for liberty. But we have tried the experiment, and we have proved our fitness for liberty through many generations. If they are not fit for liberty, will any one tell me that the Italian race are fit for the kind of government they have had? That is the question. We are asked to join Europe in a settlement of this question. One of those Italian Governments has been such a scandal through Europe that this country and France felt compelled to take a step wholly unjustifiable in theory, and to break off all diplomatic connection with that Government. I am not defending that step, but there must have been a great scandal before any two great States would take a course so exceptional as that. Well, but has this peace given us no prospect for the future of Italy? Surely the circumstance of Lombardy being made over to the free States of the North of Italy affords a considerable guarantee for the peace of that portion of the Sardinian territory. I do not say that there will not be difficulties in the way of that free Government working smoothly, but we must make allowances for that. We must recollect the state in which they have been, and if liberty should be given them, and if excesses should take place I do not know that the state of society will be much deteriorated. Are there no excesses now? When you talk of the danger that exists from secret societies and revolutionary tribunals, what are the dangers that exist now? What did we hear the other day? We saw a constitutional government illegally and arbitrarily suspended at the sole will of the king. We saw the *Code Napoleon* arbitrarily and illegally suspended at the will of the police. We must never forget that a king can be revolutionary as well as a people. It is very little comfort to a citizen who is dragged in the middle of the night to a dungeon, where he knows he may be tortured, to tell him that he has been lynched, not by a mob, but by the king. And we forget the relative condition of a king and his people when we forget this distinction. I will not talk in a sentimental vein. I will not say that we shall make Italy either happier or better, but if the fruit of not going into a Congress is a renewal of the danger to the peace of Europe, what would you say to a Government if it sulkily refused to go into Congress because it thought that the Peace of Villafranca ought to have been made on some other terms? Such a refusal would be a gross dereliction of duty to Europe, and an entire forgetfulness of the dignity of England. That Peace of Villafranca was made between two States, and it is assumed that all this country can do is to register the details of the Treaty of Villafranca. I do not know that there will be any question of the Treaty of Villafranca at all. Many of the questions mentioned in that Treaty are left entirely open. All that the preliminaries of Villafranca say, for example, of the confederation is that both Sovereigns are favourable to the confederation of Italy. Well, what is the meaning of that? If they intended to have a confederation, they were the masters of the situation; and I for one would not go into a question of what was meant by that confederation before I consented to go into a Congress. Everything will depend upon the manner in which the confederation is carried out. These are the points raised by the Motion of the noble Lord. He began when we knew nothing of the future and little of the past, and now we are more accurately informed of the Treaty of Villafranca, but we know as little of the future as we did then. We do not know whether the preliminaries of Villafranca are to be embodied in the Treaty of Zurich, and we do not know the extent to which it will be proposed to go. The noble Lord says, "I know nothing, and you know nothing, and under these circumstances let us peremptorily decide not to go to a Congress." And the noble Lord expects the House of Commons not only to tie up the hands of the Government, but his own, and he tells us that, however favourable, however opportune the moment, whatever benefit may appear likely to arise to Italy, and whatever guarantee may be obtained for the security of Europe, the Government are not to go into the Congress and discuss the points that will arise there. But what is the good of having a Foreign Office, or what is the good of having a Government at all, if you are to be restricted from considering these questions? If the House of Commons interferes with the Executive and does something, we know at all events what they are doing. If they are doing something against the prerogative a great deal may be said against it, and something in its favour. But when, not knowing the circumstances under which you are going to act, you lay down a course which you are not to depart from, it appears to me that such a proceeding is the height of human folly. I will not believe that the noble Lord will find the House disposed to sanction a Motion which would deprive this country of its position as a European Power, which would tie the hands of the Government, and, without a knowledge of the circumstances, would compel the Government to forego the opportunity of securing to a certain extent the freedom of Italy, and thus reproduce war, and bloodshed, and all the evils from which Italy and Europe have so long suffered.

MR. WHITESIDE: The noble Lord,

in a speech of considerable ability, has made a Motion to which the hon. and learned Gentleman who moved the Previous Question has stated objections. Those objections were repeated by the right hon. Gentleman who has last spoken, and they were particularly pressed by the Chancellor of the Exchequer in a speech which was, as usual, brilliant, but which was unusually discursive. That objection requires to be answered, and it is that the Motion, if carried, will be a direct interference with the right of the Executive Government, and will be an assumption of a power on the part of the House of Commons that does not properly belong to it. I admit that when I first read that Motion I entertained a similar objection to it. I admit it will be rather difficult to find an exact precedent for it. But I think we should remember what are the relations of the House of Commons to the Government. It is a question which has not been touched upon, and yet I find it discussed by an eminent person in a manner which should commend it to the notice of the House, and especially of those who sit on the Treasury Bench. When Mr. Canning was applied to by Prince Metternich to say what was the policy which England meant to pursue, and why the Government allowed the House of Commons to exercise such influence on foreign policy, Mr. Canning felt it necessary to explain in a despatch what, in his judgment, were the relations between the Government and the House. Neutrality is discussed in the same despatch, and Mr. Canning insists that the neutrality which England ought to practise, and which all the eminent men for the last half century recommended, was not neutrality between contending armies but conflicting principles. As to the value of a Congress, which Prince Metternich had pressed upon him, Mr. Canning says:—

> "What is the influence which we have had on the counsels of the Alliance? We protested at Laybach—we remonstrated at Verona. Our protest was treated as waste paper, our remonstrances mingled with the air! The sources of our strength are in the sympathy between the people and the Government; in the union of the public sentiment with the public counsels; in the reciprocal confidence and co-operation of the House of Commons and the Crown. If Prince Metternich has taught himself to believe that the House of Commons is merely a clog and impediment to the free action of the counsellors of the Crown,—that its prejudices are to be softened, its waywardness to be soothed, but that the tenor of the Government is, in effect, independent of its impulse; that it is, in short, to be managed, but not to be consulted—he is mistaken. It is as essential a part of the national council as it is of the national authority; and woe be to the Minister who should undertake to conduct the affairs of this country upon the principle of settling the course of its foreign policy with a grand alliance, and should rely upon carrying their decisions into effect by throwing a little dust into the eyes of the House of Commons."

I contend that the principle of this Motion, supposing it to be of a general character, is sustained by this passage from the celebrated despatch of Mr. Canning, in which he insists that the House of Commons is a consultative body, which ought to be consulted, and, when consulted, has the right to offer an opinion, which the Minister, being bound to be in sympathy with the House, ought to respect and follow. What is the exact position in which we stand, and what shall we gain by a Congress? The affairs of Italy were supposed to have been settled at the Congress of Paris by two resolutions. It was decided, first, that the Italian Powers should be called upon to favour a policy of clemency; and, secondly, that foreign armies should be withdrawn from the Italian States at the first moment possible, with a due regard to the tranquillity of those States. Now, I maintain, as the right hon. Member for Stroud (Mr. Horsman) has maintained, that if those two resolutions meant what they said —I do not pretend to say that they do— the Affairs of the Papal States and of a great portion of Italy would at once settle themselves. We could as speedily settle the Duchies if the noble Lord the Secretary of State for Foreign Affairs spoke correctly when he made this important statement the other night. The noble Lord says:—

> "We all know that by one of the articles of the treaty, very short and somewhat ambiguous in its terms, it is declared that the Grand Duke of Tuscany and the Duke of Modena return to their States, granting an amnesty. Now, how are they to return to their States? . . . . . When I inquire with respect to this subject, I must tell the House, that although I have no official assurance of the fact, I feel convinced, and I have good reason to be convinced, that the Emperor of the French has no intention of employing French troops for the restoration by force of the Grand Duke of Tuscany. I believe, likewise, from all I can hear, that the Emperor of Austria does not intend—he certainly has not avowed any intention—to use his troops for the purpose of restoring these two Archdukes, and I think I may presume—at least I presume from what I have heard—that even if he were disposed to do so, the Emperor of the French would not consent to it. Well, if that be so, a great difficulty at once arises in carrying the treaty into effect."—3 *Hansard,* clv. 550.

If Austria and France will not interfere by the power of the sword to restore the Dukes, *cui bono* a Conference? The argument of the noble Lord about government being a matter of will is singular in a thoughtful statesman. I deny that human government is an affair of human will, but, supposing it to be so, the question of Government in Tuscany is to be put to the vote of universal suffrage. I trembled when I heard that, but, assuming that they vote against the restoration of their rulers, and neither of the Powers interfere, what is the difficulty? The noble Lord says no British Minister would ever decide against their will. Their will decides in favour of union with Sardinia. Neither Austria nor France will interfere by the sword. Again I ask, with regard to these Duchies, what is a Conference to decide? We have been told, and a curious statement it was, that the prospective Congress is to effect a settlement of Italy. Again I refer to the noble Lord, whose information is derived from a despatch of Count Walewski which he has not yet laid upon the table of the House. I understand the business on which the Plenipotentiaries of the three Powers meet at Zurich to-day to be this, according to the noble Lord:—

> "Count Walewski states that a French and Austrian Plenipotentiary are about to meet immediately at Zurich, to convert into a treaty of peace the bases decided upon between their Majesties."

I understand from the noble Lord that, although other matters may be discussed, the foundation of the whole affair cannot be set aside. And what are the bases referred to? I do not know what remains for general settlement. Is it decided already what is to be done with Lombardy, what is to be done with the Duchies, that there may be a general confederacy to govern Italy, and that there is to be peace between the belligerent Powers? The noble Lord proceeds to quote from the despatch:

> "You are aware, by my former correspondence, that the Government has always desired to see the great Powers concur for the definitive settlement of the affairs of Italy. His Majesty's intentions have not altered in this respect, and we hope that the Powers will be able to meet, either in a Congress or in a Conference, to confer on all the questions raised by the actual state of things in Italy, and which are connected with general interests."

The noble Lord says, "As the passage "which I have just quoted shows clearly "what the question is upon which it is "proposed that there should be a Conference, I may be permitted to read it again. "The object of the Conference is—

> "To confer on all the questions raised by the actual state of things in Italy, and which are connected with general interests."

The noble Lord says, "You will observe that the terms are general; that "they have not reference to the details "of any treaty of peace, much less of "the particular Treaty of Villafranca, but "that it is proposed that the great Powers "should confer upon all questions of general interest."

But, if there be any doubt, the noble Lord informs us that Count Walewski also told him that all the Powers of Italy were to be summoned. To do what?

> "In order to deliberate upon the bases of the Confederation, whose establishment the two Sovereigns have mutually agreed to further."

Then the States of Italy are to be called together, no doubt according to the statement, on the general affairs of Italy, but on the basis of the confederation, the establishment of which has been already decided by the two powerful Emperors; and so, in truth, when we reflect the whole matter is decided, and England is only to be called upon to do something which the noble Lord pointed out in a despatch which shows he still possesses all the fire of youth. This despatch to the Ambassador of the King of Prussia is a wonderful document. I always thought that statesmen, when they wrote papers of this kind, were calm, cool, and, I will not say philosophical, but cautious. Yet, I confess, I do not think Young Italy could give a more passionate passage than this, in which the noble Lord acquaints the Prussian Ambassador with what are the future prospects of Italy:—

> "The Emperor of the French has not contented himself with repelling the Austrian invasion of the territory of his Ally: he has declared it to be his purpose to liberate Italy from the Alps to the Adriatic. This proclamation has been received with transport wherever, in Northern or Central Italy, Austrian troops do not exercise a power of compression. Milan and the whole of Lombardy, Parma, Modena, and Tuscany have eagerly proclaimed their adherence to the war to which they were thus invited."

The sentiments of the noble Lord are most inspiring. He knocks down the Italian States like ninepins. He says, with considerable truth, if we knocked down Parma, Modena, Tuscany, Lombardy, how is it possible that we can allow the Papacy to stand? The Government of Lombardy was a good Government as between man and man; but, said the noble Lord, the Papacy is one of the very worst Governments in the world, and you cannot strike down the other States and allow the Papacy to stand. I agree with the noble Lord it would be perfectly impossible. The mind of the noble Lord on the 7th of July was in a state of simplicity. He believed in that proclamation of the Emperor of the French. He indulged in the fancy that Austria was about to be expelled from the entire peninsula,—as he said from the Alps to the Adriatic,—and he thought that new and flourishing republics—for he said in his despatch that the Italians should be the free citizens of a great country, and the words "free citizens" were usually applied to the inhabitants of republics—would spring up throughout Italy in place of the States that he wanted to knock down. He paid the Papacy the compliment paid by Polyphemus—it was to be devoured the last. We have been asked what is neutrality, and we have been told that it can only apply to war. But that was not the opinion of Mr. Canning. He said that England ought to contend not merely with fleets and armies, but with principles. If you are only to be neutral in war, what is the value of your neutrality? Some Ministers do much more mischief in a time of peace than other Ministers have been able to do in a time of war and it is necessary to check them in their career. It is impossible to confine neutrality merely to war. It must be applied where contending principles are in action in reference to monarchy, democracy, republicanism, or absolutism, just as much as you apply it in the case of Powers engaged in war with each other. The next point we have to consider is what is the meaning of that peace of Villafranca. Are the two parties who signed that treaty bounden or are they not, by reciprocal obligations, to force its terms? What was to be the subject-matter of the Conference, if a confederacy was decided upon, if the Duchies were decided upon, if Lombardy was decided upon, and the two great powers were resolved to have what Count Walewski called the fundamental points of that treaty maintained? We have had a speech to-night upon the subject of Austria and Austrian influence from more than one gentleman, and more particularly from the right hon. Gentleman the Chancellor of the Exchequer. The ability and tact of a skilful and dexterous advocate is mainly evidenced by the art with which he misleads his audience from the true question that is before them. The right hon. Gentleman declared, with an emphasis that I have seldom seen exceeded by himself, that the iron hand of Austria had for forty-five years crushed the liberties of Italy,—that Austria had extinguished every spark of freedom in that country. That was the argument he urged to prove how calmly and impartially he would himself act as a Minister of the Crown as between Austria and France. Was not that an attack upon the Treaty of Vienna, which delivered up Lombardy to Austria to be governed upon the Austrian system? I admit that the government of Austria in Lombardy was the government of the stranger, but whoever says that Austria was no benefit to that country does not speak the language of truth. You speak of Tuscany being humane, civilized, polite, and flourishing, and it has been described as a little Paradise. But who made it so? An Austrian Prince. If you want to confer a blessing upon Italy take the laws framed by Leopold I., than whom a more virtuous, humane, or benevolent man never ruled on this earth. It has been said that the battle of Salamis was useful for the day in which it was fought, but that the foundation of the Areopagus was useful for civilization and liberty for ever; and to have framed a system of laws wise in all respects, equitable, just, and humane, to have made a people love their ruler, is the glory of Leopold I. To say, then, that the Austrian Government has always been tyrannical, wicked, and unjust is not an impartial view of the question as stated by the Chancellor of the Exchequer. Why, I could put my finger on a passage of the elder Massimo d'Azeglio, in which he says that, to his knowledge, many of the States of Italy were willing to throw off their allegiance to their native rulers, and attach themselves to the Austrian Government for the sake of the pure justice which Austria administered between man and man. I impeach the argument of the right hon. Gentleman as unjust, on the conclusive refutation of it contained in his own words. The right hon. Gentleman said that, as long as Austria remains in Italy, Sardinia being free, there will not be peace in Italy. What is the result of that argument? That if Italy is to have peace Austria must be deprived of every inch of her territory in Italy. How is it possible for this Government, if such be their view, to enter into this Congress? I was surprised to hear the right hon. Gentleman the Chancellor of the Exchequer, and the right hon. Gentleman who spoke last, vindicate the foreign policy of the noble Lord. That was not their language in 1850. In that year they said that it was the policy of an intermeddler and was injurious to this country, but to-night they are his best defenders. The right hon. Gentleman informed the House that he had read the blue-book, but he did not recommend any one to read it. No man, he said, had a right to assume that the opinion of the House would be adverse to the policy of the noble Viscount if he goes to the Congress to carry out the details of this peace. I venture to say, if the House were polled to-night upon that question, the opinion of the majority is more likely to be against the noble Viscount than in his favour. It would be said that the noble Viscount on the Conspiracy Bill showed a willingness to carry out the objects of the Emperor of the French, which this House did not approve, and that if he did that once he might do it again. The ruling mind in that Congress would be the mind of the Emperor of the French. There would be nobody to stand up and contradict him, much less to resist him effectually. The right hon. Gentleman says the opinion of no man would be influenced against the noble Viscount's policy by reading the blue-book ; indeed, he says he knows one gentleman who read through the book and was influenced in favour of that policy. I have no doubt he was a learned, brilliant, wayward Gentleman, who seldom held one opinion for a long period of time, who knew everything, but perhaps did not know himself. It is the custom occasionally to compare distinguished men with a star. Now, there are different heavenly bodies. There are some that move in a regular orbit and shed upon the world a soft and gentle light. And, again, we have a blazing meteor that in its brilliant eccentric course fills the beholder with alarm, surprise, wonder, or admiration. If that person to whom the right hon. Gentleman referred had formerly held an opposite opinion as to the policy to be pursued towards Italy, is it not a very extraordinary thing that that unnamed person should be convinced by reading the blue-book, and should hold an opinion exactly contrary to that which was held by the rest of mankind ? I hold it to be an act of justice to stop the Government from going into this Congress. I heard an hon. Gentleman who does not sit on this side of the House say, it was impolitic to bring forward this Motion; for, said he, if you allow the Government to go into the Congress, you may be sure they will do something wrong, and therefore when Parliament meets in February they will be turned out of office. But the doctrine of political responsibility is wisely referred to, for to what does it amount? Nothing. It may, perhaps, be said, with some force be said, if you anticipate the course a Minister may take, you usurp the prerogative of the Crown. Yet if the House of Commons is called on to say that a certain policy is fraught with danger, what is Parliament to do but to express an opinion and say, on a given state of facts that are before us, that it would be unwise to enter into a Congress which cannot only lead to no good, but to great evil ? But it is said you want to do benefit to Italy. I deny the justice of that argument, and for this plain reason—you want to do that benefit by carrying out the policy of the Emperor of the French; we want, on the other hand, to do benefit to Italy by leaving the Italians to themselves. We wish not to meddle or interfere. Such a course will be the better for the Italians themselves, since the noble Lord the Secretary for Foreign Affairs has said that the Duchies are safe, and that neither of the great military powers will interfere there against the will of the people. Indeed, it will be difficult for the French Emperor, chosen as he is by universal suffrage, to interfere in the Duchies against the decision of universal suffrage. Lombardy is already free, and it has already been decided, by the protocol of Paris, that the French and Austrian armies should be withdrawn from the Papal States. I agree with the Chancellor of the Exchequer that it is impossible to speak of Italy almost without emotion, or without feeling some sentiment of admiration and homage for her great and glorious history. Independently of her great antiquity, in the middle ages she had her republics ; they were brilliant ; they had their day of freedom, and they fell; but that form of government which contained the patrician element lasted the longest. For myself, though I dislike revolutions, I will not yield to any hon. Gentleman on those benches in a sincere desire to see the people of Italy happy and contented. I believe they have a better chance of being so by being left to themselves. The ruling Princes, left to themselves, will be obliged to come to an arrangement with their subjects. On that ground, and wishing to save the country from a dangerous and unfruitful interference in the affairs of other States, I think the principle of this Motion is not unconstitutional, and, whether the Motion be carried or not, at least the opinion of this House, warning the Minister against rushing into this Congress, may be attended with great advantage both to the peace of Italy and the honour of England.

LORD JOHN RUSSELL: Sir, I must confess that if my noble Friend (Lord Elcho) wished to bring our foreign policy with regard to Italy before the House, I cannot conceive a Motion worse fitted for the purpose he has in view than the Motion he has presented; because what he endeavours to affirm is, that the Crown should be addressed not to do that which it has never been asked to do by anybody, and which it has not the smallest intention of doing. My noble Friend says, "Do not go into a Congress for the purpose of considering the details of a peace the preliminaries of which were settled by the two Emperors at Villafranca." It has never been proposed, and never will be proposed, that such a Congress should ever be held, and it really seems to me a mockery of the House of Commons to ask it to go up to the Crown with such an Address as this Motion proposes. But then it might be supposed, and my right hon. Friend the Member for Stroud (Mr. Horsman) has given this meaning to the Motion, that although the words are thus limited, its real meaning is, that the Crown should be advised not to enter into any Congress or Conference whatever upon the state of Italy. But my noble Friend in his speech expressly disavowed that meaning, for he said, "I mean nothing of the kind. If there should be any advantage in considering the state of Italy during the recess, and it can be done safely and sufficiently in Congress, I hope that the Ministers of the Crown may enter into that Congress, and be successful in that endeavour. But then what becomes of the Motion? It either means us to ask the Crown to do that which has never been thought of at all, or not to do that which the mover of the Motion himself has no objection to its doing. I really conceive therefore, Sir, with regard to the Motion itself it would be difficult to persuade this House to consent to its terms. But my noble Friend the Member for Haddington has taken the opportunity which this Motion has given him of expressing his views on the affairs of Italy; and in that respect I can have no objection to the course he has taken. I am personally obliged to my noble Friend for having postponed until to-day the consideration of his Motion, and with regard to the subject I must admit that before the House separates it is fit that those who take different views to the Government should have an opportunity of explaining those views, and persuading the House that their rule of conduct should be the prevailing rule on this occasion. What, then, says my noble Friend with regard to this great subject; and what says the hon. Gentleman the late Under Secretary for Foreign Affairs. My noble Friend says, that Sardinia was entirely to blame for the late war, and that if such principles as those which influenced the King of Sardinia and his ally the Emperor of the French were to prevail, there would be an end of civilization altogether. The hon. Member for Horsham (Mr. FitzGerald) says, that the war in Italy was owing entirely to the promptings of Sardinia. I thought I had read in the blue-book repeated despatches in which Austria was told that if she went to war at the time she did she would have no sympathy in this country and no moral support, as it was considered that the disaster might have been prevented, if it had not been for the fault of Austria. I am not one of those who ever subscribed to the language of the late Prime Minister, when he said that the conduct of Austria was criminal in going to war. I think that war might probably have been prevented if she had not taken that step; but to call what she did criminal when she believed her safety and her territory were in jeopardy is too strong a censure and one in which I can never join. At the same time I cannot hear all this blame of the conduct of Sardinia without recalling to the recollection of the House what has been the state of affairs. For many years Sardinia has enjoyed a free Government, and that enjoyment of a free government has rendered her the object of admiration to every State in Italy; so much so that whenever a professor was banished from his chair for imparting knowledge in too liberal a spirit he went at once to Turin; and when a great proprietor expressed opinions favourable to representative institutions he fled to Sardinia in order to avoid the dungeon which awaited him in his own State. At length Sardinia became the refuge of many of the best and ablest men in Italy, some of them distinguished for birth and fortune, and others for genius in art, science, and literature. Under such circumstances it was not only excusable, but natural, that the King of Sardinia and the Minister of Sardinia, thus encouraged and thus appealed to, should feel that the emancipation of Italy rested with them, and resolve, whenever the time came, to draw their swords in defence of her liberties. But is it so great a crime that the King of Sardinia should have received addresses, and answered them in favourable tones, and that he should have received volunteers from other States? When I turn back to history I find that there was once a Prince who, from a State not his own, received men of all conditions and all professions—who furnished some with arms and encouraged others by tokens of his favour—and who even sent a special envoy to this country desiring him to communicate with the disaffected and to hold out to them hopes of an invasion. The difference between that Prince and the King of Sardinia is, that the King he came to overthrow was his father-in-law. Yet this Prince, although he committed all these offences for which the King of Sardinia is now held up to odium, we celebrate as our great deliverer. I have no doubt that the right hon. and learned Gentleman who has just spoken has often drank to his glorious, pious, and immortal memory. This shows that the standard by which similar actions in different ages are held may sometimes be different. Well, then, we next come to consider what are the dangers pointed out by the hon. Member for Horsham (Mr. FitzGerald) in case we should go into the Congress. Now, it appears to me, looking to the terms of the noble Lord's Resolution—admitting as I do that it is within the province of the House to advise on the exercise of the prerogative of the Crown, and to restrain the prerogative of the Crown if they think fit—yet that this would be a most curious and unwise exercise of that power, because you by the Resolution would put no restraint on Ministers to advise the Crown with regard to matters in reference to which they might exercise a most mischievous influence. You do not forbid them to enter into negotiations in reference to matters in which they might be the allies either of Austria or France in any war between those Powers; you impose no restriction at all upon them with regard to the foreign relations of this country, except by saying, that if it is ever proposed to you to enter into a Congress, whatever may be its form or object, it may have one meaning or another, that is a matter that is objectionable. If the Motion has any meaning or sense at all that is the amount of it. Now, there is a cross-statement made by the right hon. Gentleman the Member for Stroud (Mr. Horsman). He says the Ministry are evidently anxious to enter on the Conference—that they are so eager to do so that they seem unwilling to wait, and he gave as a proof of this that the Foreign Secretary had stated numerous objections and obstacles that stood in the way of entering into a Conference. Was ever so curious a proof given as this? I stated all these obstacles because I thought it a very doubtful matter indeed whether the Government should consent to enter a Congress at all. At present the terms on which any Congress is to meet have not been agreed upon, and no one can say even in what terms the invitation may come. I have stated to this House what is the proposition on the part of France. I understand that Austria does not interpose an absolute veto to the meeting of the Congress, but that she requires certain things to be done before the Congress meets. If France and Austria come to an understanding at Zurich on every point affecting the relations of Italy—if they attempt to settle the whole question of Italy—though I cannot well imagine how that is to be done—I hold that it would be unworthy of this country and of its dignity and honour to go into a Conference merely to add its signature to terms thus agreed to. But I can suppose a very different state of affairs. The House will observe that the preliminaries agreed upon at Villafranca do not pretend to settle definitively all the affairs of Italy. They propose, in order to prevent foreign intervention that a confederation of the States of Italy should be favoured. Well, with regard to that confederation, they can do no more than favour it, for nothing is decided by the States of Italy themselves at present. Sardinia requires certain conditions, the Pope also requires, I believe, certain conditions before he enters the confederation; and I have not yet heard that the King of the Two Sicilies has given any opinion favourable or unfavourable to the meeting of a Congress. But I can imagine the state of Italy to be thought such by the best men in Italy and by the Ministers of the States of Italy as to lead them to say we are between two dangers—one of those dangers being that of foreign intervention under the pretext of preserving order in the Peninsula. The consequence of that intervention would be an immediate and sanguinary state of revolution. There would not be the state of things which we have seen for the last six months, but every kind of violence and excess would arise to meet that foreign intervention. There is one way of preventing these evils, to which all the Powers of Europe and every State of Italy are ready to consent, namely, to consider upon what terms a Congress may be formed, in order that this foreign intervention may be stopped, and a bloody revolution may be stopped in the bud. Now, if Austria—if Prussia—if Russia consent to this arrangement, is it the part of England to say, "I see evils that may be prevented—I see the good that may be effected; but I have a vow in heaven against going into a Congress?" I ask, then, is it not reasonable if you leave other important questions to the consideration of the advisers of the Crown, subject to that responsibility which attaches to them, and which I do not believe is a mere shadow, that you should leave the question of a Congress to the Ministers of the Crown also. Let the House, then, leave the question as to a Conference to the consideration of the Ministers of the Crown, and when the time comes that they will know all the circumstances of the case, and the propositions that have been brought forward, they will be able to say Yes or No to those propositions, according as they have been wise or unwise—according as they shall turn out successful or unsuccessful, and they will be able to give their judgment upon the conduct of the Ministry at some future meeting of the House. I wish to arrogate no undue power or assumption of authority on behalf of the Government, but that appears to me to be the common, plain, sensible way of acting. Well, then, the hon. Member for Horsham (Mr. FitzGerald) has preached to me a sermon of considerable length, warning me against vices and sins I may fall into, and profiting by his own experience, I may say, without any personal disrespect to him, after the manner of an old sinner, he has warned me against the particular vice of which he has been guilty. He says, beware of a guarantee, for there is nothing so dangerous to this country—nothing so bad in practice. Now I had some recollection of what had been done by the late Government in this respect; but I consulted the blue-book to refresh my memory, and there I found that the Earl of Malmesbury, with the consent of his colleagues, was ready to give a guarantee to Sardinia, a guarantee for the integrity of Sardinia for the long period of five years. Now, it appears to me that such a guarantee is the most dangerous that any Minister could offer to another country. I have admitted the faults of Sardinia in fostering the discontent that prevails in other parts of Italy; but when Sardinia once knew that she had a guarantee from Great Britain there would have been no end of her provocations, you would have had them monthly, weekly, daily, until at length Austria would say, "I am unable to bear these constant provocations. My subjects are continually excited to rebellion by the conduct of Sardinia and I must march an army into the country in order to put an end to it." Then, although you admitted Sardinia to be in the wrong, she would have been covered by your guarantee, and you would have been bound to employ your fleet and army for her. That was the wise and cautious guarantee which the late ministry proposed, and yet now hon. Gentlemen come down to preach to me about guarantees and the danger I may fall into from rash advice. The right hon. and learned Gentleman who has just spoken has complained of my having spoken of reforms in the Papal States, and yet he himself has spoken of reforms in those very States. When I wrote that despatch to Prussia I thought I was saying what almost everybody, with the exception, perhaps, of the hon. and learned Gentleman opposite (Mr. Bowyer), would have agreed to—that the temporal administration of the Roman See had been a very bad administration; and that, if reforms were to take place in Italy, reforms in the Roman States were peculiarly called for and required. Did I say anything that the Catholic Sovereigns could find fault with? The Emperor of the French has virtually said the same thing. A long time ago, in a letter to Edgar Ney, he expressed his opinion that the Roman Government ought to be secularized and the *Code Napoleon* introduced. He did not approve of the mode in the Roman States of trying a man without confronting him with the witnesses against him, and at Bologna, at least, of using torture to extort a confession. The Emperor of the French did not approve of that mode of administering justice, and he accordingly advised the Pope to introduce the *Code Napoleon*, and to secularize the Government. Not only the Emperor of the French, but the Emperor of Austria has agreed at Villafanca that reforms in the Roman States are required. What, then, is the harm in my venturing to say, that if the state of Italy is to be improved reforms in the temporal Government of the Pope are especially required? Again, the right hon. and learned Gentleman who spoke last also said that I stated that the Italians should be free citizens of a great country; and that, therefore, I mean that Italy should be republican. No such consequence follows. The words, "free citizens of a great country," were used by the Emperor of the French in his proclamation at Milan, and he is not so violent a republican that he would wish to propagate republicanism in the different States of Italy. But what has been the conduct of the Italians themselves? I know what unfortunately happened in 1848 and 1849; but during 1858 and 1859 have they shown themselves, even when everything was in their favour, disposed to push popular liberty to excess? So far from that, their conduct has attracted, and deserves to attract, the admiration of all Europe; because, although they have wished to reform their Governments, and at Bologna have gone so far as to proclaim the *Code Napoleon*, anything more temperate than the conduct of the Italians, or less like violent republicanism no country has ever shown. But the hon. Gentleman makes an inquiry with regard to the Duchies. Now, all I can say upon that subject is, to repeat what I have formerly said, that there is an ambiguous sentence—a very obscure article — in the preliminaries of Villafranca, perhaps to be explained in the treaty of Zurich. But we have reason to believe that neither the Emperor of the French nor the Emperor of Austria have in contemplation the use of force in order to procure the restoration of the Grand Duke of Tuscany or the Duke of Modena. The Emperor of the French has more than once declared it, and by despatches which I have received to-day it appears that Count Rechberg, the Austrian Minister of Foreign Affairs, declares his belief that in a little time, and with some patience, the people of Tuscany and Modena will be glad of their own accord to receive back their former Sovereigns. Of course Her Majesty's Government can have no objection if it is their own wish to receive back their former Sovereigns. But I must say that if, on the other hand, changing their purpose, because it would be a change of purpose, these Sovereigns or either of them were to attempt to use force, that attempt would be the source of infinite troubles in Italy, would be the recommencement, not only of the sufferings of past years, but the recommencement of new struggles; and no one could see what would be the evils, what would be the outrages, what would be the crimes, that might be committed in the course of these struggles. To such a policy Her Majesty's Government would be bound to object, and it would not be necessary to go into a Conference for that purpose. The objection could be made at any time by a formal communication to the Governments concerned. Now, I say that it is not necessary to go into a Conference for that purpose, and the House knows that so far from being fanatical for a Conference, I see more objections against it than reasons in its favour. All I say is, that it is one of the means that may be employed to attain a settlement, and that this House ought not to bar us against the use of that or any other means by which peace may be secured and the condition of Italy improved. The hon. Gentleman was very curious in asking me some fifteen or twenty questions with respect to what passed between me and the French Ambassador just before the conclusion of the armistice and peace of Villafranca; and with regard to all those questions, I think an answer will be best conveyed by stating what happened upon that occasion. The French Ambassador had frequently spoken to me of different terms of peace, if fortune favoured the arms of France, which he thought, after a considerable period of war, might be proposed. I listened to these views and said, "But it is not likely that either the Emperor of the French or the Emperor of Austria will be prepared to make peace at this time, and therefore any consideration of such terms should be postponed." But he brought to me one day a written piece of paper, containing some few articles, very short and brief, and said it was the wish of his Government that those terms should be submitted, with the sanction of the British Government, to the Emperor of Austria. He said he felt assured, although he could not give me an official assurance of it, that those were terms which would be approved by the Emperor of the French; and that he knew enough—and I could not but believe his statement—to enable him to say, that if those terms were accepted by the Emperor of Austria, the Emperor of the French would be ready to sanction them. It happened to me at that moment to be going to a Cabinet Council, and I

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immediately communicated what he had said to my colleagues, and they one and all said that we could not make a formal recommendation of any such terms; that the period at which we could either propose to mediate or offer our good offices had not arrived; but that as these terms were certainly more moderate on the part of the Emperor of the French than by his proclamation one would have supposed he would offer, it would not be right to conceal them from the Austrian Government. They, therefore, commissioned me to give the paper containing those terms to the Austrian Minister in this country. I communicated them to him on the same night. The hon. Gentleman now asks what Prussia said. Why, Prussia said nothing whatever, because I never spoke to the Minister of Prussia, or had any communication with Berlin on the subject. And if he asks what Russia said, I should give the same answer. Russia said nothing, because I had no communication with the Minister or Government of Russia; but when I had communicated those terms to the Austrian Minister, he said, "It will be my duty to send this immediately to my Government; but let me know first, in what character you propose them." So I said—"We, the English Government, transmit them to you, in order that the Emperor of Austria may know on what terms, as we believe, he may have peace, if he is ready to agree to them; but as to any advice, we distinctly declare that we offer no advice. The Emperor of Austria may accept or refuse the terms. We merely desire that he should know what are the terms upon which we think peace may be obtained." Well, he said afterwards, "I do not believe that my Government will accept those terms; but, supposing that they were acceptable, and that I got an answer to say that Austria was ready to treat upon these basis, what then?" So I said, that if that happened, there would be little difficulty, because if we once knew that Austria was ready to treat upon these bases, we could offer them ourselves as mediators, or in any other character that Austria would prefer; and if she would prefer it, I would then speak to the Minister of Prussia; or, if you like, I would speak to the Minister of Prussia and the Minister of Russia and inform them of the terms, and there would then be no difficulty in proposing them as the bases." Sir, I conceive that it was my duty not to conceal from Austria the fact that peace might be obtained upon these bases; and if the English Government had positively refused to do so, and the Emperor of the French, not wishing to treat directly, had been able to push his conquests further; if Peschiera had fallen, if Verona had fallen, if Venice had fallen, and worse terms had been proposed, what then would have happened if I held more favourable terms in my hand? What then would have been said of the British Government which had taken upon itself to conceal those more favourable terms from the Emperor of Austria and his Government? Well, Sir, this was on a Wednesday, and on the Monday I received a private note from Count Apponyi, stating that his Government considered that these propositions were quite inadmissible. I do not find fault with the hon. Gentleman (Mr. Seymour FitzGerald) for making a confusion in the story as it is probable that he has heard it very inaccurately, and has repeated it only as he heard it; but at that time, on that very day, there was a further proposal made by my noble Friend the French Minister, containing a smaller number of articles—I think four only—and which the French Government again requested us to communicate to Austria, and to communicate with the view of recommending them. My noble Friend and I considered this proposal, and resolved to ask our colleagues what was their opinion of it. On the same evening, however, it was that I received the note to which I have alluded, and consequently on the next day there could be no doubt or difficulty in the Cabinet, because we all said that we did not mean to propose to Austria terms upon which she was not ready to treat as a basis. Those terms did not differ in substance, though they might in degree, from those which we had seen before, and we could never recommend to Austria terms upon which she had already declared that she would not treat. That was our conduct towards the Austrian Government. I think in this statement the hon. Gentleman will find an answer to all his questions. It is a very plain story, and it is one upon which the Government is prepared to stand. The hon. Gentleman referred to the apparent inconsistency between the statements of the two Emperors as confirming his suggestions; but he should remember that there is much difficulty in the way of communication by telegraph, and likewise that as there is a difficulty for neutral Powers to know the intentions of the belligerents, so there is often a great difficulty in the belligerent Powers knowing what is going on among the neutrals. It certainly did so happen that while on the one side the Emperor of Austria said that the neutral Powers were considering a plan of mediation which would have been more severe to him than the terms of peace he actually obtained directly from the Emperor of the French, at the same time the Emperor of the French said that if he had not made peace the German Powers were so hostile to him that in a very short time he would have had to make war upon the Rhine. Well, Sir, that was a statement on both sides rather of apprehensions than of facts. It might never have happened that the neutral Powers would have proposed any mediation at all. They had never agreed on any basis of mediation; they had never seriously discussed the terms of mediation. Prussia, indeed, had made some proposition of terms, and the hon. Gentleman found fault with me for not communicating those terms to Austria. But the fact was that the Prussian Minister, when he read those terms to me, took his despatch away again, and particularly desired it to be considered as confidential, and one of which he did not wish a copy to be left in the office or communicated to the Government. To revert again, however, to the state of things which existed when peace was made. The Emperor of the French thought that war was impending upon the Rhine, and that that was the future which he had to meet. The Emperor of Austria thought that the neutral Powers were considering terms of mediation, and these apprehensions—not any certain knowledge, because there were no facts upon which that knowledge could be founded—did operate upon their minds, and they used them as justifications for the peace which they made. I must say, Sir, that, so far from thinking that we are deeply responsible if we in any way unintentionally contributed to this result, I should greatly rejoice if our position was such—if our attitude was such, that it induced those great Powers to make peace, and not to prolong that sanguinary war which, had it been continued, would, I am persuaded, have had no result, either for the benefit of Italy or of mankind, which would have made amends for the blood shed and the mischief done in its course. Therefore, although we can claim no credit for the peace—although our mediation did not produce it, and although I think that the right hon. Gentleman is mistaken in supposing that the transmission of those terms induced the Emperor of Austria to conclude the treaty, and give up Lombardy, I do rejoice that peace was made, and I think that the future of Italy and the future of Europe will be far better provided for by councils of peace, whether they are the councils of Governments or the councils of peoples—whether they are conducted by diplomatic correspondence or by conference—than could have been accomplished by the continuance of the late war. Now, Sir, with regard to that future, the hon. Gentleman the Member for Horsham says that while I spoke of the rights of the peoples of Tuscany and Modena, I omitted to notice the rights of the Sovereigns who reign over them. I am afraid that in the eyes of the hon. Gentleman I am a great heretic in that respect, because, although I have a great respect for Sovereigns who have for generations maintained themselves on their thrones, and received the loyal respect of their subjects, I have no belief in the doctrine, such as the University of Cambridge once affirmed, which gives to the Sovereign an inherent right to reign that no fault can alter or diminish. I cannot subscribe to a doctrine of that kind, and if I look to the Sovereigns of Europe I see many of them who could never subscribe to the doctrine that a people have no right upon fault or upon offence to declare that they will no longer give their obedience to a Sovereign who has not afforded them protection and who has rightly forfeited their allegiance. To take the latest instance first, the King of the Belgians owes his crown to a popular revolution. Such too, though at a more remote date, is the foundation of the right of the King of Holland, who owes his thrown to a popular revolt against the Crown of Spain. Such is the foundation of the right of the King of Sweden, to whose crown there is even now a pretender. Such, in fact, is the right of the Emperor of the French to his throne. If the right of legitimacy were to prevail, who but the Duke of Bordeaux could claim the allegiance of the people of France? Yet they pay no allegiance to him, but yield their willing submission to the Emperor who now rules over them. Such, likewise, is the foundation of the right of our own dynasty. Our Sovereign can claim no right to the allegiance of her people superior to that derived from the decision of the Parliament and people of Great Britain that the Throne was forfeited by the House of Stuart, in consequence of their violation of the rights of the people and their withdrawing from the country over which they reigned. If such is the case, is Italy, I would ask, to be the only country the people of which are to be debarred from the exercise of this power? Are the people of Italy, who as I have said have shown themselves so moderate and so just in their proceedings, who have committed no outrages, who have taken part in no violence, who have borne their part in these changes with so much of the dignity of freemen—are they to be deprived of that right, of that power which has been exercised in Belgium, in Holland, in Sweden, in France, and in Great Britain? I cannot be a party to denying them that right. On the contrary, I believe that if you allow the people of Italy to settle their own concerns, —and that is the doctrine which my noble Friend and myself have always held in this House, especially during the whole course of the present Session—if you allow the people of Italy, whether they have hitherto lived under the rule of the King of Sardinia or of the Grand Duke of Tuscany, or of the Duke of Modena, under the Pope, or under the King of the Two Sicilies, to settle with their Sovereigns on what terms they shall pay their allegiance, there will no longer exist the irritation and discontent which have long prevailed, but they will proceed with peace and order to establish the foundations of good government. With respect to our conduct in these matters, I have no wish to interfere prematurely or to keep up a constant intervention in the affairs of other nations, but at the same time I cannot forget the history of my country. I cannot be blind to her greatness, nor can I forget her duties. She has duties to Europe as she has duties to her own people. I cannot believe in that at which my right hon. Friend the Member for Stroud seemed to hint, a new fantastic policy by which this country should separate herself, as it was supposed physically to be separated in Roman times, from the whole world, and attend merely to her internal affairs. I believe that if she did that, if she forgot her duties, if she refused her advice and her counsels, when that advice and those counsels were required, while in the first instance her conduct would be injurious to other nations, while in the second place it would lead to the preponderance of some great Power, and to the consequent injury and detriment of the people of Europe, it would end in the loss of that very independence which by such selfish means we had endeavoured to maintain.

Mr. DISRAELI:—Sir, having been alluded to by more than one hon. Gentleman in the course of the debate, it is hardly possible for me to be altogether silent; but at this late hour I shall not detain the House at any length by the observations I have to offer. And to touch in order on the allusions which have been made to me, I will commence with the observations of the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman charges me with having violated neutrality in two distinct forms, and with having, at the same time, made an intimation in my place in Parliament, as a responsible Minister of the Crown, of a most important character which I was not justified in offering to the House. He says that while we professed to be the advocates of strict and impartial neutrality, it was I myself who first violated that neutrality, because I spoke in terms of great respect of Austria, while on the other hand I spoke of Sardinia in language which conveyed a different sentiment. Now, Sir, let us see whether there is any foundation for this charge. I have not referred to the authentic record of what took place on that occasion, but the time that has elapsed is so brief, that I think I may trust to my own memory, and perhaps to the recollection of the House—for though it was in a different Parliament, many hon. Members who were then present are present now, and will be able to testify to the accuracy of my statement. It was on the night when it was my duty to lay before the House, in compliance with the engagement of the late Ministry, a statement of our relations with Austria and Sardinia, and as to the prospect of maintaining peace between France and Austria then threatened. In giving an account of the negotiations, I had occasion to speak of Sardinia, and I remember that I spoke of the gallant and interesting effort made by that country to establish representative Government, and what are called liberal institutions in Italy. I said that was an effort which had enlisted the feelings—the good feelings — of all classes of Her Majesty's subjects, and that her subsequent conduct as our Ally in the Crimea had increased that feeling, and sealed the sympathy which this country naturally entertained for her. I then went on to say that during the interval which had elapsed between the Crimean war and the period at which I was then speaking, much perhaps had happened in her conduct which was perplexing and ambiguous, but that nevertheless I felt convinced that this country would place upon those perplexed and ambiguous passages the most generous interpretation, as Her Majesty's Government had done. Well, Sir, can that be called an attack upon Sardinia? Is there any man here who will for a moment pretend that in the interval which elapsed between the capture of Sebastopol and the negotiations which preceded the Italian war there was nothing perplexing or ambiguous in the conduct of Sardinia? At any rate, among the hon. Members present there is one who cannot say so, and that is the noble Lord the Secretary for Foreign Affairs, who himself has acknowledged and deplored those very passages in the conduct of Sardinia in fostering dissensions in the dominions of her neighbours to which I referred. That, I think, is a complete answer to the charge of the Chancellor of the Exchequer with regard to the want of impartiality in the late Government towards Sardinia. With regard to the expressions on which the Chancellor of the Exchequer founded another charge—namely, of partiality towards Austria—in speaking of the late negotiations, it was my duty to say that Austria had behaved "in a spirit of dignified conciliation." Can anybody read the papers laid on the table and deny the accuracy of that statement? It is the sentiment of the Earl Cowley, but expressed by him in much stronger language, reiterated by Her Majesty's Envoy to Vienna on every occasion, and it is a fair description of the conduct of an ally who in almost every instance deferred to our opinion and who was mainly guided by our advice. And though I myself have never ceased to regret, and have never attempted to conceal my regret at the act by which Austria practically commenced the war, still that act had not occurred when I was addressing the House, and a fair and accurate description of the conduct of Austria towards the English Government was given by the phrase of which I made use, "a spirit of dignified conciliation." So much for these expressions which, quoted by the Chancellor of the Exchequer without the context and without reference to the facts, do not, I think, furnish a very substantial basis for the charge which he has made. But, says the Chancellor of the Exchequer, you on that night absolutely told the House that you still believed that peace would be maintained, while shortly afterwards war was declared. Now, Sir, what were the circumstances under which I addressed the House that night? It was one of the most critical passages of the negotiations. Austria had insisted on the preliminary disarmament of Sardinia as a condition of maintaining peace. That was generally thought an unreasonable request; it was not favoured by the British Government; but Austria insisted upon it, and we made use of our influence to recommend it to the consideration of France. That evening—I will not say concurrently with my speaking, because after the severe criticism of to-night that word may be objected to—I will not say a few minutes, but absolutely a few seconds before I rose, my hon. Friend the Member for Horsham (Mr. S. FitzGerald) came into the House and placed in my hands a telegram to this effect from Lord Cowley,—"Count Walewski has written in the most urgent terms to impress upon Count Cavour the acceptance of the principle of preliminary disarmament, and he is most sanguine of the result." I certainly think I was justified, on the receipt of the telegram, bound as I was to speak with the utmost frankness, to say to the House that there was still more than a fair prospect of maintaining peace. That was on the 18th—as the Chancellor of the Exchequer more than once reminded us—and on the 19th a second telegram came from Her Majesty's Ambassador in Paris, or rather from Count Walewski to the Duke of Malakhoff announcing that Sardinia, in deference to the urgent entreaties of France, had acceded to the preliminary principle of disarmament. Was there not then more than a fair prospect of maintaining peace, and did not these things fully justify the expressions which I used? The Chancellor of the Exchequer to-night has not addressed himself to the question really before the House. He has made one of his eloquent and able speeches, but he entirely evaded the practical question which is under our consideration, to which my hon. Friend near me (Mr. S. FitzGerald), and the right hon. Gentleman opposite (Mr. Horsman) have strictly addressed themselves. The Chancellor of the Exchequer has considered every point connected with Italy except just that point which now occupies our attention. He has poured forth a stream of romantic rhetoric over a subject which is certainly susceptible of that style of treatment, but that is not the question we have to consider. He has indeed frankly placed his Italian policy before the House. That I admit. The right hon. Gentleman entirely disapproves the settlement made forty-five years ago. I cannot venture now to go into such a question. It would be really absurd to attempt to treat that question on what is practically the last night of the Session, but it is of great importance that we should learn to-night that a Minister of the Crown, and a Minister of authority, entertains upon this subject views so large and so decided, and which must, of course, influence him in the counsel which he offers to his Sovereign. If these views are shared by his colleagues, if that is the predominant opinion of the Cabinet, we may ask—is it to carry that policy into effect, to terminate the settlement of forty-five years ago, that you are now proposing to enter into this Congress? Well, Sir, if that be their policy, if they are now convinced, after long and mature deliberation, prompted and stimulated by the vast and startling events which have recently happened, that the time has come when they must erase from the political table that settlement of forty-five years ago, let me ask them, are they going to carry their intended result into effect in a manner which is likely to lead to a satisfactory settlement? You are going to put an end, as far as Italy is concerned, to the arrangement of the Congress of Vienna by availing yourselves of the basis of the preliminaries of Villafranca. That appears at once to be a weak if not perilous course. Do you believe that the preliminaries of Villafranca can be moulded and modified under your influence, in a manner that will carry your now avowed policy into effect? That is the practical question. The noble Lord, the First Minister, who has often addressed us on this subject, recently speaking in opposition, and in a guarded manner, admitted, before the war commenced, that, as far as Austria was concerned, the treaties of Vienna ought to be observed. Since then he has freed himself from the trammels of that tradition, and I believe I am but fairly representing his general policy as to Italy when I describe its tendency to be the cancelling the settlement made forty-five years ago. Now, we have the right hon. Gentleman a third Minister of the Crown speaking in unison with the noble Lord on this subject. Their policy with regard to Italy is now distinctly announced. Well, if a Congress is held, what with these views pursued by the Government are the prospects of this country? Assuming that the two Emperors who have signed the preliminaries of peace at Villafranca may succeed in carrying them substantially into effect — our presence to assist them in that result—our presence to help to restore the expelled Princes to their dominions—our presence to interfere in some arrangement in the Papal States, and aid in creating a confederation of which his Holiness is to be the head—our presence in the Congress for these objects and with such results would not tend to increase our reputation. But suppose we, with a high hand, recommend that decided course which the French Emperor in his proclamation appeared to have adopted. What should we be prepared to do to carry that policy into effect? Are we prepared to go to war to free Italy from Austria, "from the Alps to the Adriatic?" If you are not prepared to go to war what are you prepared for? These views I have no doubt have occurred to hon. Members on both sides the House and to the country and have caused that feeling of uneasiness with which the meeting of a Congress is contemplated, because the practical result will probably be that it will end by leaving us at war either with France or Austria, or perhaps with both powers. It is the fear of such a result that makes men uneasy at the possibility of this contemplated Congress. The noble Lord says, it is not for the late Government to speak of hazardous engagements into which this country may enter, as we had committed ourselves to a guarantee so rash as that by which we offered to secure Sardinia, for a term of five years, against any attack by Austria. That the noble Lord described as a rash and dangerous engagement. Well, only the other night the First Minister of the Crown described it as the most futile engagement that any Government ever offered to enter into; as one in which we should bear nothing of the burden of danger; that we intended to throw all the burden on France, and he was not surprised France refused to enter into such a guarantee. Now, these two descriptions of our intended policy do not tally. But what, after all, was the danger of the guarantee we proposed? It was a joint guarantee by which France and Great Britain, the two most powerful military and maritime countries in the world, were to engage to secure Sardinia for a limited term of five years from any attack by Austria. Can any one suppose that this was a guarantee we should ever have been called on to fulfil? Can we doubt that if that guarantee had been given Austria would have been prudent enough to keep within her boundaries? "But," says the noble Lord, "what can be more impolitic than this? Does it not stand to reason that if you guarantee Sardinia from attack for five years Sardinia will take advantage of the immunity and cause Austria every possible annoyance?" But the noble Lord forgot one most important condition of the guarantee—that Sardinia should disarm. The whole question! It was the only condition by which the peace of Italy could be preserved. The noble Lord appears to have entirely misconceived the character of the engagement, and ascribed to it a character quite different from that given it by the First Minister of the Crown, speaking a few nights ago. The noble Lord also addressed himself to the speech of my hon. Friend the Member for Horsham (Mr. FitzGerald); that hon. Member made a speech to-night, following the Chancellor of the Exchequer, of a different character from that of the right hon. Gentleman. The right hon. Gentleman has charmed us by his eloquence, to which we are accustomed, but which burst forth to-night with unusual brilliancy. But unfortunately, or rather adroitly, he did not throw the coruscations of his genius on the subject under discussion. But the hon. Member for Horsham did address himself to that subject with a precision and power which showed that he not only thoroughly understood the question he was treating, but the points upon which the House has a right to require information from Her Majesty's Government. He has told us of a great number of questions the noble Lord has found it convenient not to remember. But it was impossible for the noble Lord not to allude to the important despatch of the 7th of July; he went into that point with an exuberance of detail; his description was of an unexpected interest. On a former evening the First Minister of the Crown gave a curt relation of how the small written piece of paper was received in silence and without comment offered. But to-night the noble Lord has entered into a great deal of interesting detail, ample, full, and quite explanatory of every point except the one on which the House required information. The noble Lord now tells us that, instead of the document having been given without any comment to the Austrian Minister, considerable conversation and some discussion took place. He did not tell us whether, when it was received from the French Ambassador, it was not received with some expression of approbation that, when reported, might have given rise to that singular misconception that took place at Villafranca, and had such a momentous effect on the destinies of the world. On that point he said nothing. What we wanted, and what we still want, is some explanation of the mysterious conduct that led to the sudden peace of Villafranca, and the present position of all other countries in relation to Italy. Did the Government give any approval to the project contained in that piece of paper, and was that approval communicated by the rapid means of communication which now exist to the Emperor of the French? That was the point on which we required information, and obtained none, though on certain points of his narrative the noble Lord became even garrulous. Now, the question the House has before it is really most important, and one that in its consequences may affect the destinies of every country in a manner beyond calculation. It is this:—Is it, or is it not, the interest of this country, at the present moment and under present circumstances, to enter into any Congress to consider the affairs of Italy? What we want to know from the Government is this—is it part of their policy to encourage and favour the meeting of a European Congress to take into consideration the affairs of Italy generally, with the view of interfering in those affairs in a manner which may bring about the changes that are avowed and recommended in the Italian policy of the Chancellor of the Exchequer? That is the interference which the country fears. The Chancellor of the Exchequer says, "You have no right to declaim against interference; look at this book, it is a memorial of your interference." Well, that observation only proves to me that the Chancellor of the Exchequer does not ascribe an accurate idea to the word "non-interference." That phrase does not mean that a great State at a moment of European disquietude and trouble should refrain from giving its counsels and exercising its moral influence to prevent war, and, if possible, to restore tranquillity. No one supposes for a moment that when a country objects to a policy of interference it intends to say that its Sovereign is never to have recourse to those means which may prevent public disaster and general danger. In objecting to a policy of interference we protest against the use of our arms in order to settle the internal dissensions of other countries. If the Ministers say, "Well, but attending the Congress is doing exactly what you recommend; it is using our moral influence;" my answer is, "If you recommend a certain course and give certain counsels, the result of which, if followed, may be to secure the tranquillity of Europe, you are not interfering in an objectionable manner, but are only doing your duty as statesmen; but if you go into a Congress in the circumstances under which, from the articles of Villafranca or from the Treaty of Zurich, such a Congress must take place, you must be prepared for action or for nothing. If you go into the Congress for nothing—only to give good advice—you may as well give it in a despatch; but, if you enter that Congress to recommend a policy you are prepared to enforce, you are interfering in the internal concerns of a foreign country in a manner that will necessarily involve great risk, may lead to large expenditure, and perhaps to a war, the termination of which it is not very easy to foresee." I cannot, therefore, agree with the Chancellor of the Exchequer that, because we have carried on negotiations with the object of preserving peace, we have been acting against that principle of non-interference, which I say may be violated, or seriously endangered, by attending a Congress. Now, with regard to the Motion before the House, I was very much surprised to hear from the Chancellor of the Exchequer that a great party debate or a great party struggle was to take place this evening; and I was the more surprised when I observed, in the first place, a Motion, and secondly, an Amendment, both of which appeared to have been proposed without any consultation, and without the knowledge of those whose opinion, when party struggles and debates occur, are generally supposed to be taken on the subject. With respect to the Motion of the noble Lord (Lord Elcho), I can truly say that I never heard of it until some time after it had been announced in this House, for I was not present when the notice was given. I cannot say that even when the Motion was shown to me I approved it. I considered that there were objections to its form. I listened, however, with interest to the vindication of that form, and of the language in which it is expressed by my hon. Friend the Member for Horsham. I thought his vindication was true at first; but when he came to the last reason in favour of it, and when he said that had they been on the other side of the House, and the question of neutrality had been raised, the noble Lord the first Minister and the noble Lord the Foreign Secretary would have supported such a Motion, I confess I was a little mistaken in my hon. Friend's growing conviction on the subject; because, however eminent are the qualities of these noble Lords, I had considered that when in Opposition there had uniformly been in their conduct a tendency to faction, from which I trust we shall always be exempt. I must say, therefore, that the objections I felt to the form of the Motion have not been altogether removed. I entertain, however, much stronger objections to the Motion of the noble Lord than those merely with regard to its form. The Motion is one of the most important—if not the most important—that can well be framed. It really touches the whole foreign policy of the country, and if discussed as it deserves, it would require some nights of very earnest and protracted debate. The result, if the Motion was carried, would have a very serious effect upon the position of the Ministry. I agree with the right hon. Gentleman who treated the Motion as one which might even affect the existence of the Government, and it seems to me that, from its nature and possible consequences, it is not a theme which ought to be introduced to the notice of the House on what is practically the last night of the Session. It does not appear to me that a question of such a nature should have been brought forward at a moment when the House, even if it were in a position, either with regard to inclination or numbers, to do justice to the subject, must necessarily arrive at a hurried and precipitate conclusion. I objected to the form of the Motion when it was first proposed, and it was quite possible that if an Amendment had been suggested, or if the noble Lord had been applied to, he might have modified his Motion as to expression and form in such a manner as might have secured for it general assent. The Motion was, however, postponed, owing to causes which we all regret; and we are now asked to pronounce an opinion upon it on what is practically the last night of the Session. Under these circumstances I trust the noble Lord will not press his Motion to a division. The noble Lord has obtained an object of the utmost importance. It would, I think, have been very unfortunate, and perhaps injurious, had there not been a discussion upon the present position of the country with respect to its external relations before the prorogation of Parliament. The discussion which has taken place has, at all events, elicited the opinions of many of the leading members of the Government, and although it would be folly to conceal from ourselves that the general bias of the Government is evidently in favour of a Congress on the state of Italian affairs, if it can be brought about, I am still bound to say that they have frankly admitted the difficulties which present themselves. I tremble myself at what may happen during the interval that must elapse between the prorogation and the meeting of the House again, if, unfortunately, my expectations on this subject should be disappointed. I confess that, even if there were no other reason, I am most anxious that the Government should leave the Pope alone. From the determined policy upon that subject of the noble Lord opposite, I look forward to an autumn, and, perhaps, a winter, of the most disagreeable character. I remember the confusion which the noble Lord created on a former occasion. I remember how our hopes of the tranquillity which we looked forward to in the bosom of our families—and from the change of pursuits which we had a right to anticipate after a long Parliamentary campaign—were disappointed. I remember the numerous county meetings that took place, and the memorials and petitions that were adopted. I look back to the disquietude which we experienced during that contemplated epoch of relaxation almost with horror, and I do trust that the noble Lord will deem it much better to leave His Holiness in the position he at present occupies, with the articles of Villafranca to arrange his future position, than to take in hand that great measure of reformation which he has so often recommended. What has alarmed me most upon this subject is, however, the zealous and the somewhat unexpected adhesion which has been given by the Chancellor of the Exchequer to this anti-Papal crusade. The right hon. Gentleman has endeavoured to impress upon Parliament, upon the country, and upon Europe, that the Pope would really exercise a much greater influence if we should deprive him by a Congress of all his dominions. I would remind the Chancellor of the Exchequer that that is the argument which the Dissenters always use when they propose to despoil the Church of England. Only take away all her endowments they say, and depend upon it the influence of the Church will so greatly increase that she will never for a moment suffer. I am sorry that we have heard that expression from the Chancellor of the Exchequer, because I feel convinced, considering, too, that in this House he sits beside the noble Lord, and that both of them are men of ardent temperament, that if they attempt to destroy the Pope in the interval between the prorogation and the reassembling of Parliament we shall have as hard a time of it as His Holiness himself. It is to be desired, then, for this if for no other reason, that the contemplated Congress on Italian affairs may not take place. Let the two signatories of the preliminary articles at Villafranca meet with their Ministers at Zurich. Let us see them work out their sketch. Let us have the finished picture. It is an operation which we may view with interest and instruction. And if it be necessary that we should ultimately put our hand to it, depend upon it, if we now exhibit a proper and dignified reserve, we shall interfere with immensely more effect when the rulers of France and Austria, if they fail, have confessed their inability to make a settlement, and when they appeal to us not to extricate them from the consequences of the rash engagements into which they have entered, but to step forward to secure the peace of Europe and the general cause of civilization.

VISCOUNT PALMERSTON: Sir, I am not going to dispute with the right hon. Gentleman on the part of my noble Friend and myself as to who has the merit of having been the least factious while sitting on the Opposition benches. At the same time I am bound to acquit the right hon. Gentleman of anything like factious opposition on the present occasion, because he has very fairly stated the insurmountable objections he entertains to the Motion of the noble Lord. I congratulate the right hon. Gentleman on his candour, because those who have preceded him in the debate on his own side of the House—the hon. Member for Horsham (Mr. S. FitzGerald) and the right hon. and learned Gentleman (Mr. Whiteside)—took a very different view of the question. They, and especially the late Under Secretary, said, "We think this is a proper Resolution to be carried. We are of opinion that it is essential to prevent the Government from going into any conference." But the course of the debate and his reflection on the speeches of my right hon. and noble Friends have worked such a conviction in his mind that he gets up at the close of the discussion, throws over his friends, negatives the Motion of the noble Lord, and is perfectly satisfied that it is improper alike in form and in substance, in time and occasion. The right hon. Gentleman was, however, not quite so successful in answering the observations of my right hon. Friend the Chancellor of the Exchequer upon the passage of a speech that he made in the last Session of Parliament. My right hon. Friend, adverting to the interpretation endeavoured to be put by some hon. Members on the term "neutrality"—an interpretation which, not confining the word to its ordinary acceptation of an abstinence from taking part in a war between belligerents, but extending it from action to thought, and from thought to expression—and accusing the present Government of departing from neutrality because they have opinions as to what may be best for the welfare of the people of Italy; my right hon. Friend, I say, stated that the right hon. Gentleman and the Government to which he belonged had sinned, if it were a sin, still more in that direction than we have been accused of doing. As an example of that, he quoted the expressions used by the right hon. Gentleman on the day preceding the dissolution of Parliament, when he, on full preparation, professed to give to the House a statement of the condition of our foreign relations. The right hon. Gentleman then commented on the ambiguous and suspicious conduct of Sardinia on the one hand, and on the dignified conciliation of Austria on the other. Now, about the time when he thus praised the dignified conciliation of Austria our Government was in possession of a communication from the Austrian Minister informing them that the Austrian Government was sending to Turin that very summons with a conditional threat of hostilities, which a week afterwards the Earl of Derby, at the Lord Mayor's dinner, declared put Austria in the position of a "criminal." But the right hon. Gentleman says, "Oh, no; the intimation was that Sardinia was to disarm only as a preliminary to the Congress," and he added that he received a few seconds before he rose a communication from Paris stating that the French Government were enforcing that recommendation, and that there were good grounds for expecting that Sardinia would give way, and that the peace of Europe would be maintained—that the French and the British Governments recommended that which Austria was demanding,—namely, that Sardinia should accept the general principle of disarmament as a process to be gone through by all the Powers concerned previous to entering the Congress. Well, but what was it that Austria demanded? Why, that Sardinia singly should disarm in the first place, and trust to her generosity afterwards to abstain from attacking her—that abstinence, however, to continue only as long as the negotiations continued. Her threat was that unless within three days the acquiescence of Sardinia was given, Austria would declare war against her. The right hon. Gentleman must have known, or ought to have known, at the moment he made that statement that such a notice had been given by Austria to the Sardinia Government, and with such knowledge, to say that the conduct of Austria was that of dignified conciliation implied such a partisanship with Austria that it is impossible, according to his own doctrine of neutrality, to maintain that his Government was neutral in the sense of a strict and impartial neutrality. The right hon. Gentleman asks further questions in addition to those which my noble Friend has answered. He desires to know whether, when the French Ambassador gave them that memorandum, which was afterwards conveyed by mynoble Friend to the Austrian Minister any approbation of its terms was expressed by my noble Friend to his Excellency, because he says, if the British Government expressed to the French Government approbation of those terms, then we are answerable for the result, and for the Peace of Villafranca. Now, in the first place, my noble Friend made no such statement. He said to the French Ambassador, "I will take the paper and communicate it to the Austrian Minister, but I will give no advice and no opinion; I will simply be the channel of communication." But if the British Government had expressed an opinion strongly in favour of those conditions, and had undertaken to support them at Vienna, the natural and necessary consequence would have been that the Emperor of the French would not have been disposed at Villafranca to propose to the Emperor of Austria more favourable terms than those which he had been led to imagine the British Government would support, and would induce Prussia and Russia to support in conjunction with her. Therefore, with regard to that, the statement is perfectly consistent with that which I made when the question was put to me some time ago. At this late hour of the night I shall not go into the general question, but I must be allowed to say to my noble Friend who made the Motion, that this is the most extraordinary composition I ever read. He proposes that this House shall resolve, that whereas the Government of Great Britain did all it could to prevent war, and during the war did all it could to bring about a peace, on that account it should abstain from taking any part in the negotiations after the peace for the purpose of making that peace more satisfactory, more durable, and better for the interests of all parties concerned. That appears to me to be what I should call a *non sequitur.* I should have argued just in the opposite way, and should have maintained that the same spirit which had led the Government of England to endeavour to prevent the war, and when it was commenced to put and end to it, should be followed out on proper occasions when the terms of peace were not complete, and the arrangements of importance were not settled. I should have, on the contrary, inferred that it would be useful to take part under such circumstances in arrangements of that kind when we were invited to do so by other great Powers. Then, my noble Friend says that that being the case—the British Government having been anxious to prevent war and afterwards to put an end to it, it would be contrary to the honour and dignity of England—to do what? Why, to endeavour to take any part in settling the details of the treaty concluded by the two Emperors at Villafranca. The only inference to be drawn from the Motion is that the Emperor of Austria and the Emperor of the French are persons with whom the British Government ought to have no transactions whatever. My noble Friend has said that he drew the Resolution himself. I am sorry if it be so, and I think that if he had taken the advice of the right hon. Member for Stroud (Mr. Horsman) or of some of those who sit opposite, he would have presented to the House a Motion a little better shaped and more calculated, at all events, to receive the support of those who agree with him in his general views. But we are told by the right hon. Gentleman the Member for Bucks that we are proposing to go into a Conference for unsettling the arrangements of 1815. Why, in the first place, we are not proposing to go into a Conference at all. It has simply been intimated to us that we may receive a proposal to go into a Conference, provided the other Powers concerned are ready to do so, and would like us to join them. To upset the arrangements of 1815 is also an object which it is impossible to imagine that the Powers who might concur with us in a Conference would unite to accomplish. No doubt there have been in the course of years great alterations made in the settlement of 1815. The annexation of the Kingdom of Poland to the Empire of Russia, instead of being made a separate dominion, was a great change in the arrangements of Vienna. So also was the annexation to Austria of the republic of Cracow. But when I enumerate these changes, I do not say that on that account other changes should be adopted, because we protested both in regard to Poland and in regard to Cracow. No doubt, moreover, the transfer of Lombardy, through France to Sardinia, is a change in the terms of the treaty of Vienna. The right hon. Gentleman the Member for Bucks makes it a reproach to the Chancellor of the Exchequer, that he thinks that the arrangement of Vienna has not tended to the happiness and welfare of the Italian peninsula. I entirely share that opinion. I think that though the settlement of Vienna in regard to Italy was devised at the time for a purpose which was deemed important, its object in that respect has not been accomplished, and other evil consequences have arisen which have produced years of misery and wretchedness to the unfortunate nations who inhabit that fair and fertile district. Before the war began, we said that the Government ought to have persuaded Austria to go into a Congress, and that one of the objects of that Congress ought to have been to maintain, in regard to the Austrian possessions in Italy, the arrangement of 1815. So long as peace was unbroken the provisions of the treaty of Vienna were to be respected by all the Powers of Europe; but when war put an end to treaties, as between the belligerents, the territories that were the scene and the cause of war naturally followed the fate of that war and passed from the worsted to the more triumphant party. It is evident that those who have spoken on the other side imagine that the British Government would go into a Conference with some view of altering still further the territorial possessions of Austria in Italy, of endeavouring to drive her out of Venetia, which the war has still left in her hands. Now, I have always maintained — and I maintain still — that although Austria has a strict right to her possessions in Italy, she would be stronger if she had no possessions in that country. Her possessions there, like the heel of Achilles, are her vulnerable point; they do not add to her strength, but expose her to attack; they are a source not only of military weakness, but of moral injury. In order to maintain a certain kind of government in her own territories, she thinks herself compelled to favour the same and even a worse kind of government in every other part of Italy, and she has consequently placed herself in the odious light of being believed to be the real cause of all the misgovernment and misery to which the different peoples of Italy are exposed. That is not an opinion of to-day or yesterday. A foreign friend reminded me the other day that fifteen years ago I told him that the Italian possessions of Austria were a source of weakness and not of strength. I believe that opinion to be a sound one, but it is one thing to hold an opinion, and another for a Government to enter into measures for the purpose of violently changing arrangements which are the foundation of treaties that form the basis of the European system. Still, if an opportunity should be presented to the British Government of doing good to Italy by means of a Conference, if by their advice and suggestions they should be able to confer lasting benefits upon the Italian people, and thereby add security to the peace of Europe—in that case, they would not be justifiable if they refused to join in a Conference with the other Powers. The right hon. Gentleman the Member for Bucks asked us whether we are going to deal with the Pope and the King of Naples. It is not likely that questions of that sort would be discussed in a Conference. We know that advice has already been given to the Pope to reform his Government, and so remove that discontent, the existence of which compels him to maintain in Rome and elsewhere foreign troops to support his authority. A statesman whose name I forgot once remarked that it is an unpleasant thing for a Sovereign to sit upon bayonets. The Pope is now in that disagreeable position, but I hope he will, of his own accord, select a more soft and solid support for his person and Government. I trust, then, that the House will not support the Motion which my noble Friend has submitted to its consideration. The hon. and learned Member for Bridgwater has met it in a most indulgent manner. I should have been perfectly prepared to give it a direct negative, for it is wrong in its form, its substance, and its opportunity, tending to fetter the discretion of the advisers of the Crown on some future occasion, and under circumstances which are at present unknown, because they are not in existence. I object to it also as unconstitutional in principle, and I should have objected to it as well on the other side of the House as this. I not do mean to say the House has not the power to give advice, or to make remonstrance when required, but it is not in accordance with the principles of the constitution that the House of Commons should interfere beforehand to prevent the House acting as it may deem wise. On every account, I repeat, I should have been prepared to negative the Motion of my noble Friend, but I shall content myself with voting for the Motion of the hon. and learned Member for Bridgwater (Mr. Kinglake).

LORD ELCHO said, the best answer he could give to the noble Lord the First Minister, who thought his Motion wrong both in form and substance, was to refer to the expressed opinion of the Foreign Secretary, that the Motion was, in fact, a truism, and that no man in his senses could say that it would be consistent with the honour or dignity of England to go into a Conference merely to settle the details of the Treaty of Villafranca. Surely then there must be some difference of opinion in the Cabinet. The only complaint he could make was, not that the Chancellor of the Exchequer had exhibited any want of courtesy towards him, but that he had never read the Motion. That Motion applied simply to the details of the peace. It was said to be irrelevant. So perhaps it was now, but three weeks ago, when notice of it was given, he had reason to believe that the Government were about to commit the country to a Conference, and to settle the details of the peace. He had carefully guarded himself from the supposition, that if circumstances arose which he could not anticipate, he wished to preclude the Government from going into a Conference respecting the affairs of Italy. He was willing in that case to leave the discretion of entering such a Conference in the hands of the Government. And now what had been the result of this debate? The right hon. Gentleman (Mr. Disraeli) had expressed a hope that he would be satisfied with the ample discussion which had taken place. But his Motion had resulted in more than this. The noble Lord the Foreign Secretary had admitted that as regarded the details of the peace it was a truism, and his noble Friend had also admitted, referring to the broader question, that he saw rather more reasons against the Conference than in favour of it. Now, believing it to be the wisest policy of England not to interfere in this question, he could not but think that the debate of that evening would exercise some influence on the mind of the Government respecting a Conference. He (Lord Elcho) was therefore satisfied with the result of the debate, and felt inclined to bow to the advice of the right hon. Gentleman opposite not to persist in his Motion. This was the 9th of August, and it would put the country to great inconvenience, if so close upon the 12th there was to be a change of Government. It was not his wish in pressing the Motion to exhibit any hostility towards the Government. He accepted, therefore, the Amendment of his hon. and learned Friend (Mr. A. W. Kinglake), whose speech as well as his Motion he was willing to accept.

Question put, and *negatived.*

The House adjourned at a Quarter before Three o'clock.

HOUSE OF LORDS,

Tuesday, August 9, 1859.

MINUTES.]—PUBLIC BILLS.—1^{a} Consolidated Fund (Appropriation); Stamp Duties; Customs (No. 2); East India Loan; Militia Pay; Reserve Volunteer Force of Seamen; Government of India Act Amendment; Reserve Force; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Inclosure; Corrupt Practices Prevention Act (1854) Continuance; Poor Law Boards (Payment of Debts); Medical Acts Amendment; Weights and Measures Act Amendment.

2^{a} Militia Laws Amendment.

3^{a} Galway Harbour and Port Act (1853) Amendment; Fishing Vessels passing the Nore; Westminster New Bridge; Imprisonment for Small Debts; Law Ascertainment Facilities.

MILITIA LAWS AMENDMENT BILL.

SECOND READING.

THE EARL OF RIPON, in moving the second reading of the Bill, explained that its object was, in the first place, to strengthen the power of the Government in regard to the employment of the militia regiments, and to save a large impending expense. The Act authorizing the interchange of the Irish and English militia regiments, provided that no Irish regiment should be detained for a longer period than two years in England, and a similar restriction regulated the stay of the English regiments in Ireland, nor could more than one fourth of the English militia be employed in Ireland or one-third of the Irish militia in England at the same time. It was now proposed to do away with those restrictions; first, because it was desirable that all portions of the United Kingdom should be regarded as one and the same country; and, in the next place, because there were at present several English militia regiments in Ireland and several Irish regiments in England, which, under the existing law, it would be necessary to send back, some to England and the others to Ireland, in the course of the autumn. Such a proceeding would entail a large expense on the country, and this Bill was intended to obviate it. The other provisions of the Bill were framed upon the Report of the Militia Commission, and were of a character which did not provoke discussion. Her Majesty was enabled to accept the voluntary services of the militia beyond the period hitherto limited, or their voluntary offer to serve in the Channel Islands. Fresh powers were also given to appoint training places; to extend the term of service of men who should absent themselves from the appointed trainings; and for the trial and punishment of deserters.

Moved, That the Bill be now read 2^{a}.

LORD STRATFORD DE REDCLIFFE said, he did not intend to offer any obstruction to the second reading of the Bill, but only desired to make a few observations upon the subject of the defences of the country. As far as he understood the Bill, there was nothing in its stated provisions that he disapproved, and in considering our national means of defence that natural and constitutional force, the Militia, could not be overlooked, and the clauses of the Bill tended to put that force on a better footing than heretofore by giving increased power to the Government to employ the militia regiments, and offering greater inducements for the men to enter into the views of Government. In these respects he thought the Bill an improvement, as far as it went. Indeed, if there was anything connected with the subject which he regretted it was to be found in the state of the militia law under the existing Acts of Parliament. He regretted, in particular, that the ballot was no longer to be resorted to as in former times. He could not, indeed, but regret that the ballot had ever been suspended, for it was the constitutional mode of coercing the people into taking arms for the defence of the country, and it had the sanction of two centuries at least in favour of its practice. We had need of a much larger force than we possessed; we lived in a country where the conscription was not permitted, and he trusted never would be permitted, without a palpable necessity; but for the defence of the country a principle of coercion was acted upon in former times in the construction of the Militia, which it would be well to recur to now. Experience had long shown how difficult it was to supply the ranks of the regular army to a sufficient degree, and with the necessary promptitude; but the constitutional force of the Militia should be kept up, so as to form an effective nursery for the regular army, and more especially did present circumstances recommend that measure to our earnest attention. He, therefore, would be glad, if in some future Bill—namely, of next year, for it was too late this Session—the ballot should be revived, as, although some inconveniences might be caused by its resumption, they could not be compared with the great advantages that would be derived from its operation. This was a subject that merited serious consideration, and he thought the course he suggested was alike in harmony with our necessities and with our constitutional principles. It was said, that if the ballot were revived, it would introduce discontent among the officers of the militia, who disliked the idea of making the militia a nursery for the army, because the effect of that idea would be to take away their best men, and reduce their regiments below the scale of efficiency. He did not, however, see why these results should necessarily occur. The operation of enlisting for the regular regiments would be a voluntary one; moreover, the practice, if it had any such drawbacks, must be weighed against its advantages; and even if some discontent were occasionally felt by the militia officers, this would be better than for the country to be left in a comparatively defenceless condition. He remembered that when young it fell to his lot to be balloted into the militia, and in lieu of personal service to provide a substitute. For himself he should have had no objection to join a militia regiment; but it often happened that an individual, who entered the service reluctantly, took fire from the use of arms, and was induced to go into the regular army, where he became a useful and spirited soldier. They were now within a few days of the recess, a recess to be protracted, perhaps, for several months, during which time Parliament could have no voice as to the defence of the country—no voice in the adoption of measures which might greatly affect our political position. We were at present surrounded by uncertainties: much gloom might be truly said to hang over the horizon. Within the compass of a short Session, they had seen the Continent from a state of peace plunged into a state of war; and again from a state of war restored to a state of peace. It should be remembered, that during a recess of such length the Continent might with equal facility change again from a state of peace to a state of war; and who could say but that we might find it more difficult a second time to maintain the neutrality which we had so happily observed during the late contest. Even the negotiations which were about to take place at Zurich might involve many causes of anxiety, and, as they proceeded, increase the gloom which now darkened the horizon. What did we know of what had already taken place? Our knowledge was exceedingly imperfect, and unfortunately the little we did know was far from giving satisfactory assurance for the future. The balance of international justice was held exclusively by hands that were still reeking with blood. We had taken no part in the war, we had no part in the peace; we were not likely to take any part—it was hardly possible to conceive that we could do so—in the negotiations at Zurich; and it was scarcely possible for any one to foretell what would be the result of a Conference whenever or wherever it should take place. What, let him ask, was known on that subject to the world? We found Austria virtually in the same position she was in before the war—he meant, that if any necessity should require her to act upon a policy unfavourable to Italy, she was pretty much in the same position for doing so as she had been before the commencement of hostilities. If she had derived the motives of her conduct from such necessity of position the same necessity still existed. Then, as to Sardinia, how stood the case with that Power? The active, he wished he could say the honest part, which Sardinia had taken in the late war, was one not difficult to understand, if the feelings and interests of Sardinia were considered, but it was also one which could hardly be reconciled with the established rules of justice and good faith. No man admired more than himself the talents of the illustrious Minister who might be called the hero of the late events; but his warmest admirer must admit that there was much to regret in the course he had pursued and the means he had employed for compassing his end. Sardinia had gained by the war—in fact she was as yet the only gainer. But what had she gained? She had acquired Lombardy without the fortresses—a province exposed upon its weakest side. She also stood in the same position as before towards the great reforming party in Italy. She had still the same temptations for her ambition, and the same inducements of sympathy which led to the recent events. Then, as to France, how stood the case? They saw in that country a Sovereign wielding great power with all the brilliancy of great military successes — one who was by no means undeserving of praise —one who would justly have excited our best expectations for the future, if we had nothing in the past to reflect upon; nothing to make us hesitate before we could be justified in giving him our unqualified confidence? Did he stand in an altered position? Had he less reason than before to consult the pleasure of the Pope, and the convictions of the great Church party in France? How were his interests to be reconciled with the requirements of Italy and other circumstances of the present emergency? How stood the case with regard to Italy at large? The Chief of the Papal States, what was his position? Had anything happened to make him surrender his long established policy? Was he likely, because a shadow of papal influence had been thrown over the whole of Italy, to give up any portion of his substantive power? Considering the motives he must have, as head of the Catholic Church, to retain his influence in its full extent, could he be expected to make of his own free will so painful a sacrifice? Then there was Garibaldi at the head of no trifling force, with all the honour and the credit attached to his cause and successes. Then there was Mazzini—in the back ground at present, but still alive and on foot. There was, moreover, Naples and there was Sicily. In short, wherever you might turn, a thousand difficulties were to be encountered.

Lord Stratford de Redcliffe

Now, when he looked back upon his own country, what was our position? Was it one of strength? It was not. Was it one of high unimpaired credit, and unquestionable independence? It was not. And yet if England were to enter into the coming discussion — if we were to take part in those negotiations—we must have it deeply at heart, if not for selfish gratification, still for purposes of benevolence, and the general advantage to wield an effective influence. Where was that influence to be found? It might be found in the abilities of those to whom the conduct of any eventual negotiations might be entrusted, but it would not be an easy task to find it anywhere else. On these, as on other accounts, with which he would not trouble their Lordships, he had derived much satisfaction from what he had heard of the opinions expressed last night in another place. It seemed to him, according to what he could gather from that quarter, that Her Majesty's Government were prepared to take the right course. What he meant by the right course was, not to determine beforehand against going into a Congress after the first preliminaries were settled, but to determine not to go into a Congress without being satisfied that by entering into it we should do honour and credit to ourselves, together with advantage to those whose interests we were called upon to protect. The language, which had transpired from another place, might fairly justify a belief that if we went into Congress we should not be impelled by a spirit of meddling interference, or by the desire of domineering, but act only for purposes of real and lasting utility. That usefulness, however, could not be insured unless with the exercise of an impartial spirit were coupled the consciousness of power calculated to give effect to our opinions. The same channels of communication, which gave so gratifying an announcement with respect to the intentions of the Government, likewise gave publicity to a speech, expressed with great power, eloquence, and brilliancy, but showing at the same time a degree of partiality and enthusiasm which, though creditable to the heart, was not equally suggestive of confidence in the judgment. Seeing that the speech in question proceeded from the bosom of the Cabinet, and from one who justly enjoyed a high reputation in this country, he could not but apprehend that the intention of the Cabinet at large might be eventually impressed with views which might prove dangerous if introduced into the negotiations, should any negotiations take place. He trusted—and indeed was unwilling to doubt—that Her Majesty's Government would establish their claim to the confidence of the country by their conduct during the recess. He could not doubt that they would feel in its full force that constitutional responsibility which necessarily at all times weighed upon the Ministers of the Crown and certainly not less under present circumstances than at any preceding time. He trusted, finally, that whenever their Lordships should again meet in that House they would have the happiness of congratulating the Government upon having surmounted the difficult circumstances in which they were placed, whatever they might be—whether those difficulties should be met by a vigilant quiescence, if he might so express himself, or by participating in the negotiations that might eventually take place. In either case he hoped they might deserve the approval and continued confidence of the country. He did not wish to intrude unnecessarily upon their Lordships, but he was perhaps entitled to indulgence, when it was considered that on a former occasion, having pledged himself to bring forward the whole subject of the Italian correspondence, he had abstained from doing so in consequence of the new circumstances that had arisen, and on account of which their Lordships had to all appearance agreed with him in the opinion that much inconvenience would arise from a premature discussion of its merits. There was an obvious connection between the remarks he had just addressed to their Lordships and the Bill before the House. It was impossible to separate anything that concerned the defences of the country from that which involved the consideration of negotiating with foreign Powers under the present difficult circumstances of the country. He repeated that it was not his intention to throw any difficulties in the way of the passing of the present Bill; but he entertained a sanguine hope that in a future year, he hoped the next year, the subject of the militia would receive a fuller and more careful examination, and that the result of such discussion would be a return to the old and constitutional mode of dealing with that ancient part of our national forces.

Lord KINGSDOWN said, he wished to enforce the advice of the noble Lord who had just sat down without intending to follow him through the topics on which he had addressed their Lordships, and would confine himself to the subject of the present Bill. As far as the measure before their Lordships operated at all it was likely to operate beneficially. But his firm conviction, and that of every man who had carefully considered the subject, was that the present and all other Bills for the improvement of the militia would be fruitless unless the people of this country were content once more to recognize the obligation incumbent on every man in a free State—namely, to come forward not only with his purse but with his person, when it was essential, for the defence of his country. Until comparatively of late years that was the principle that had been invariably recognized in this country, and was still adopted in every other country. We had tried the system of bounties in the army, the navy, and the militia; and with what result? why, the result was this — that those who had enlisted before the additional bounty was given were disgusted and dissatisfied, because they thought they received less than they ought. In aggravation of this, the bounty had totally and entirely failed in raising the required number of men. The Government had lowered the standard and had increased the bounties; and what was now the state of things? The regular forces were very imperfectly supplied, the militia was not at half its complement of men, small as that was compared with the population and with the exigencies of the country: and, with respect to the navy, the best ships and the best officers were in port for weeks and months unable to obtain a crew of approved competence. Was that a state of things that ought to continue, when we looked to the condition of neighbouring States? He did not rest the importance of this question in the least degree upon the particular position of affairs on the opposite side of the Channel, still less upon the character of that distinguished man who presided over the destinies of France. On the contrary, he should regard a change of dinasty in that country as dangerous to its peace and prosperity. Whatever the Emperor's conduct to other nations had been, he felt bound to say, unpopular as it might be, that his conduct to this country had been characterized by loyalty, wisdom, and magnanimity. It had been said that our ships would swarm with seamen, and that our regiments would overflow with soldiers in case of invasion. He hoped it might be so; but, except for the purpose of showing the spirit of Englishmen was not extinct among us, it would be utterly useless. How could men undisciplined, unarmed, and unofficered, meet in fair conflict the troops to which they would be opposed? Look to the state of France, with an army of 500,000 on a peace establishment, and the means of calling a reserve force, at least as large, into active service. France had a navy nearly equal to our own, and the power of calling upon every seaman in the mercantile marine to man her fleet. Let the people but be convinced that it was essential to the protection of the country, to the maintenance of its position among the nations, and of the national independence, that they should submit to—he would not call it a conscription—but to any legal enactment that might be applied with the view to raise a force for the defence of the country within its own territories, and he did not believe that any difficulty would be felt in obtaining the consent of Parliament to the necessary measures. But looking to the present state of things, at least let Parliament be consistent. Let them not vote men whom they could not raise, build ships which they could not man, and provoke hostilities which they had no adequate means of repelling. He believed if Members of that and the other House of Parliament—and he spoke of Members on both sides—would appeal to the people of this country, and honestly lay before them the position in which we stood, and the impossibility of raising the forces necessary for our protection unless the system were changed, that they would readily and cheerfully respond. He owed an apology to their Lordships in adverting, on the eve of the recess, to a question of such importance; but he felt so strongly the deep interest attaching to it in connection with the maintenance of the national security and independence that he had ventured to engage their Lordships' attention for a few moments. He was afraid that he himself could do but little to commend this matter to the serious consideration of their Lordships and the public; but he was strongly convinced of the absolute necessity of familiarizing the minds of the people with it; and now that Parliament was about to rise he hoped in the interval that the great question would be fairly submitted to the people, through the medium of the press, whether or not they were willing to make those personal sacrifices which were essential to the maintenance of the defences and the independence of the country.

The Earl of RIPON said, he quite agreed with the noble and learned Lord, in thinking that the changes and improvements which had taken place of late years in the implements of war were such as to deserve the serious attention of the Government and the country, and to require that corresponding changes should be made in that system of national defence with which we had hitherto been satisfied. He could assure the noble and learned Lord and the House, that the attention of Her Majesty's Government was earnestly and anxiously devoted to this subject; but in listening to the noble and learned Lord, he could not help being struck with the impression that the noble and learned Lord and the noble Viscount who preceded him appeared to speak as if we were at the present moment in a state of war and not of peace; for the measures they recommended for adoption were those to which recourse had been hitherto had in this country when we were actually at war. The whole question of the national defences was engaging the deep attention of the Government, and during the recess his right hon. Friend, the Secretary of State for War, who had already taken measures for having various portions of the question effectually tested, would continue to make it the subject of earnest consideration. He (the Earl of Ripon) thought the principle of raising men for service in the militia by ballot was one of great importance, but one that ought to be retained by the Executive Government as an engine in times of emergency, seeing it could not be denied that it exercised a great amount of violence on the people at large whenever circumstances rendered it necessary to resort to it. The noble Viscount said, he did not desire a conscription:—but if they adopted the ballot for the militia, and embodied the militia regiments, it amounted to much the same thing as a conscription. He regretted that the noble and learned Lord (Lord Kingsdown) was not present a few evenings ago when the Militia Ballot Suspension Bill was under consideration, because he would have heard the opinions expressed by a noble Earl (the Earl of Ellenborough), not then in his place, who was no mean authority on the subject, and whose general opinion in many respects certainly coincided with those of the noble and learned Lord. The noble Earl said, he did not wish to oppose that Bill, and he went so far as to add that he doubted the advisability of the present system of embodying a certain number of regiments of militia annually, on the ground that it was a departure from the original idea of a militia force; in this respect, among others, that it took men away from their families and their industrial pursuits for long periods of time, instead of for those brief intervals in which the militia were actually called out for training, and in which the ordinary occupations of the men suffered no very serious interruption while they were temporarily engaged in serving their country. All those were questions which required serious consideration; and he could assure the House that the Government were as anxious as the noble and learned Lord or the noble Viscount could be, that the naval and military affairs of this country should be in such a position that it might be able to maintain its honour and credit among the nations of Europe He could assure their Lordships that when they re-assembled after the recess, they would have no cause of complaint that the interests of the country had been neglected by Her Majesty's Government.

Motion *agreed to.*

Bill read 2^a accordingly, and *committed* to a Committee of the whole House *To-morrow.*

RETIRING BISHOPS.

VISCOUNT DUNGANNON asked the Lord President of the Council, whether any Allowance has been made to Dr. Hinds, the retired Bishop of Norwich, out of the Funds at the Disposal of the Ecclesiastical Commissioners; and whether it is the intention of Her Majesty's Government to introduce any Bill next Session to secure a Provision to Bishops relinquishing their Sees, in consequence of old Age or Infirmity?

EARL GRANVILLE was understood to say, that he was not aware whether any allowance had been made to the retired Bishop of Norwich. With regard to the introduction of a Bill next Session on the subject, he was not prepared to give any assurance that the Government would have framed a measure of the kind alluded to. The case of Dr. Hinds was no doubt one of great hardship; but the whole subject, though one of great importance was surrounded with difficulties. He could assure the noble Lord that between this and the next Session of Parliament the subject would receive the serious consideration of Her Majesty's Government.

PRIVATE BILLS.—TACUMSHIN EMBANKMENT BILL.

SPECIAL MOTION. SECOND READING.

Moved,

"That inasmuch as the Completion of the Works authorized by the 'Tacumshin Embankment Act, 1854,' (the Time for which is extended by the said Bill for One Year,) was prevented by tempestuous Weather, the uncertain shifting of Sands, and other natural and unavoidable Causes wholly unexpected, until a late Period in the Session, which occasioned this Bill to be introduced out of Time, and consequently to be too late to be read a Second Time within the Period limited by the Order which requires all Private Bills to be read a Second Time on or before the 2nd Day of August, it is reasonable that the said Order be dispensed with in relation to the said Bill."

Agreed to.

Standing Orders Nos. 37 and 38 *considered* (according to Order), and *dispensed with;* and Bill read 2^a, and *committed* forthwith.

Bill *reported,* without Amendment.

House adjourned at a Quarter past
Six o'clock, till To-morrow,
half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, August 9, 1859.

MINUTES.] PUBLIC BILLS. — 2^a Charitable Trusts Acts Continuance.

3^o Consolidated Fund Appropriation; Stamp Duties; Customs (No. 2); East India Loan; Militia Pay; Corrupt Practices Prevention Act (1854).

PONTEFRACT ELECTION.

COMMITTEE MOVED FOR.

Petition of Hugh C. E. Childers, Esq., for inquiring into the circumstances under which the Petition complaining of the Return for the Borough of Pontefract was withdrawn, *brought up,* and read.

MR. BRIGHT said, he had been requested to present a petition from Mr. Childers, one of the candidates for the borough of Pontefract at the last election. The petition stated that at the close of the poll the petitioner was in a minority of ten, the numbers being, for Mr. Overend 306, for the petitioner 296. A petition complaining of the return was presented in due course, the recognizances completed, and no less than sixty-three persons served with Speaker's warrants. The day before the Committee was to have been struck a negotiation took place between the legal agents of the parties, and as it was considered that the scrutiny which the petition demanded would involve the enormous expense of about £5,000, it was agreed to refer the matter to an hon. Gentleman on the other side of the House, who was an official Member of the late Government, and whose decision should be as binding on the parties as if it had been made by a Committee. As a part of the agreement the petition was at once withdrawn. After the petition had been withdrawn, and when steps were being taken to bring the matter before the referee, some difference took place between Mr. Overend and his agent.

Sir HENRY WILLOUGHBY said, he rose to order. The hon. Member was stating matters seriously affecting the honour of another hon. Member without notice, and in his absence.

Mr. SPEAKER said, he understood the hon. Member was only stating the substance of the petition.

Mr. BRIGHT continued to state that the matter did not go before the referee. It was suggested that the arrangement could not be carried out without incurring the danger of a breach of privilege. At all events, after the petition had been withdrawn, and there was no chance that Mr. Overend's seat would be disturbed, he interposed difficulties to the fulfilment of the contract; and instead of accepting the Chiltern hundreds, he preferred to retain his seat. The allegations contained in this petition were very precise, and if they were true, there was no doubt that the petitioner had been—what should he say?—defrauded, and the borough of Pontefract debarred from its proper representative in that House. He did not know what course the House would think fit to adopt under the circumstances, but if he were permitted to present the petition, he would then take the liberty of moving that it be printed, and that a Select Committee be appointed to inquire into and report upon the allegations of Mr. Childers relative to the circumstances under which his petition, complaining of the return of the borough of Pontefract, was withdrawn, and that such Committee be appointed from the general Committee of Selection.

Motion made, and Question proposed—

"That a Select Committee be appointed to inquire into and report upon the allegations contained in the said Petition of Hugh C. E. Childers, Esq.; and that such Committee be chosen by the General Committee of Elections."

Sir GEORGE GREY said, he thought that the course proposed by the hon. Gentleman was, to say the least, somewhat premature. The hon. Member had presented a petition, the substance of which he had stated. It did not appear, however, that that petition complained of any corrupt compromise, as that the compromise was improperly entered into; but that a compromise having been entered into, and it having been agreed that the petition against the return for Pomfret should be withdrawn, and a scrutiny entered into before a referee, being a Member of this House, the sitting Member had declined, after the petition had been withdrawn, to fulfil his part of the contract, and desired to keep his seat and set aside the reference. Now, he did not know that that was a question of which Parliament could take cognizance; but it certainly involved a serious charge against the honour of a Member of the House. He would suggest, therefore, that the hon. Gentleman should first move that the petition be printed, so that it might be in the hands of hon. Members. He was not aware that any breach of privilege had been committed; but the House could, if it thought fit, make an order that the hon. Member for Pontefract should attend in his place. At all events, he ought to have sufficient notice that such a petition had been presented, and have the opportunity of appearing in his place and answering the charges contained in the petition, which clearly implied that he had not taken the course which a gentleman under such circumstances would feel incumbent on himself to pursue.

Mr. BRIGHT said, he wished to remind the House that from the present state of the Session it would be impossible that anything could be done in this matter unless it were done immediately. In consideration of the special nature of the case, he therefore proposed that a Committee should be appointed. With regard to notice, he might mention that so far back as Friday last notice was given to Mr. Overend that the matter would be brought under the consideration of the House, and on the previous evening a formal communication had been made to his agent of what was intended to be done. He had done what he had undertaken to do in bringing the matter before the House, and as to what course should be adopted he was entirely in the hands of the House.

Mr. E. P. BOUVERIE suggested that it was possible to reconcile the two courses proposed. The General Committee of Selection, to which it was proposed by the hon. Member to refer this matter, could not meet before the next day; and therefore he thought despatch would be as well attained if the hon. Gentleman would move to have the petition printed, and give notice of his intention to strike a Committee from both sides of the House, as in the course he proposed to adopt. There had evidently been an attempt to oust the jurisdiction of that House on a question submitted to them respecting a controverted election, and he thought it right that the matter should be investigated. One of the gentlemen implicated in the arrangements was, he believed, a Parliamentary agent, who was on the roll of agents of that House, and was therefore amenable to their authority.

Colonel SYKES said, that the petition affected the honour of a Member of the House; consequently it affected by implication the honour of the House itself. It was their duty, therefore, to see whether the accusations contained in the petition were correct or not, and he thought that measures for the purpose should be adopted without delay.

Mr. DIGBY SEYMOUR thought it would be only fair to the hon. Gentleman referred to, who was a Queen's Counsel in large practice, and at that time on circuit, that the discussion of the question should be postponed until Thursday, to give an opportunity of being present to offer any explanation he thought proper to afford to the House. He thought the House ought not to act hastily in the matter.

Sir GEORGE LEWIS said, it was in the power of the House to adjourn the debate until the evening sitting, and to order in the meantime that the petition should be printed and be ready to be placed in the hands of hon. Members at 6 o'clock. With regard to referring the petition to the Committee of Selection, he doubted if there were a sufficient number of Members of that Committee at present in London to form a quorum. The only course, therefore, which was now open to his hon. Friend was to give notice of the appointment of a Committee for to-morrow. But he thought that no definitive step ought to be taken until the hon. and learned Member (Mr. Overend) was able to attend in his place and answer the charges which were made against him.

Sir WILLIAM JOLLIFFE said, he quite concurred in the suggestion of his right hon. Friend. The matter had come upon the House by surprise. The hon. and learned Member for Pontefract, it appeared, was on the northern circuit; but it was possible that he might be in his place to-morrow, and if a Committee was to be appointed he certainly thought that the hon. and learned Member, or some one should be there to represent him, and that the Committee should be constituted in so fair and impartial a manner as to command the confidence and respect of the House.

Sir WILLIAM SOMERVILLE said, it was true that there was not a quorum of the General Committee of Selection in town at the present moment.

Mr. BRIGHT observed that such being the case he would ask leave to withdraw his Motion, with the view of moving the next day that a Committee of seven be appointed to inquire into the allegations of the petition.

Motion by leave *withdrawn.*

Mr. LYGON said, that the inconvenience of moving the appointment of a Committee the next day would be that if any of the names were objected to there would be no opportunity of substituting others. He did not think that any great harm could arise from allowing the matter to stand over until next Session. That course had been taken with regard to some election petitions, and he did not see any pressing necessity for an immediate investigation in this case.

Sir GEORGE LEWIS said, that if objection were taken to any name proposed by the hon. Member for Birmingham (Mr. Bright), the House could divide against that name, and upon its rejection it would be open to any hon. Member to substitute another for it; so that no practical difficulty could arise.

Petition to lie on the Table and to be *printed.*

Mr. BRIGHT said, he then wished to give notice that he should the next day move the appointment of a Select Committee to take the allegations contained in the petition into their consideration, and to report thereon.

CONSOLIDATED FUND (APPROPRIATION) BILL.—THIRD READING.

Order for Third Reading read.

Sir HENRY WILLOUGHBY said, he wished to ask whether the sum of £150,000 voted for the Gibraltar telegraph cable was so appropriated as that it could not be applied to any other purpose.

The CHANCELLOR of the EXCHEQUER stated that it was not in the power of the Government to apply any portion of Votes for Miscellaneous or Civil Service Estimates to any purposes but those for which they were specifically granted.

Bill read 3° and *passed.*

STAMP DUTIES BILL.—THIRD READING.

Order for Third Reading read.

Mr. HANKEY said, he wished to draw the attention of the Chancellor of the Exchequer to the very anomalous and arbitrary principle upon which the present scale of duties on probates of wills was constructed, and to point out the necessity which existed for effecting an alteration and improvement. Its operation was most unjust. The scale rose in a progressive ratio up to £1,000, and then decreased, but without any regularity; so that the duty payable on £1,000,000, at which sum the maximum of charge was reached, bore no proportion whatever to that charged on £1,000. This state of things was a great temptation to fraud, and he thought that the most advisable course would be to fix a regular per centage, as in the case of other duties, whatever the amount of property might be.

The CHANCELLOR of the EXCHEQUER said, he was of opinion that in any rational arrangement of the probate duty the stamps should be adjusted, so far as the nature of a duty of that kind would admit, in such a manner as to constitute the same *ad valorem* duty upon all amounts of property. The present arrangement in that respect was not only anomalous, but unequal and unfair in substance, and it was certainly desirable that a change should be made. There was no doubt, however, that it was necessarily incidental to the nature of stamp duties that they should fall unequally on particular points—namely, the dividing points. But the question was a very large one, and at that moment it was utterly impossible to enter upon its discussion with the prospect of any good or useful result.

Bill read 3° and *passed.*

EAST INDIA LOAN BILL.

CONSIDERATION.—THIRD READING.

Order for Consideration read.

Mr. CRAWFORD said, he felt very much disappointed at the restricted and narrow view taken by the right hon. Gentleman the Secretary for India on introducing this Bill of the pecuniary liabilities of that country, and the manner in which such liabilities were to be met. During the next four or five years it would be necessary to provide not only for a large amount of East India bonds and debentures, but also, upon the security of the revenues of India, for the large sums required to complete the railways in progress in that country. He therefore regretted the right hon. Gentleman had not taken a comprehensive purview of the whole matter. He had on a former occasion objected, and he repeated his objection to any guarantee being given by this country for a loan raised for the service of India. He thought, however, that Parliament should do as it had done on former occasions of much less pressing emergency; it should interpose to borrow money on the credit of this country, and then lend it again for the service of India, taking some specific adequate security for the repayment of the debt. If the right hon. Gentleman went into the market to borrow £5,000,000 on Indian debentures the attempt would be a failure; or, if the right hon. Gentleman succeeded in obtaining the money, it would be on terms that would be tantamount to failure. The money could not be had under £5 or £5½ per cent. On the other hand the right hon. Gentleman could get any amount of money at 3¼ per cent on the credit of England. Another advantage of the plan he suggested would be, that it would raise the position of the other Indian securities then in the market. He was aware that at this period of the Session it would be useless to attempt anything in this matter. His object, however, was by calling attention of the House to prepare the House for the full consideration of the subject next Session. The time could not be far distant when this country would be called upon to relieve India from her present difficulties. He regretted to hear from a right hon. Gentleman in that House that India was of no value to England, and he should further regret that such a statement should pass current in this country. He would just mention a few figures which would show in what manner India was of value to this country. In the first six months of the present year the exports of manufactured goods to India amounted to no less than £7,374,000; the exports of iron alone to £1,273,000; and the whole exports during that period to not less than £10,000,000. She also supplied, in the first instance, nearly the whole of the money required for carrying on our trade with China. This country then had the greatest possible interest in supporting the credit of India.

MR. VANSITTART said, he wished to ask the right hon. Gentleman the Secretary of State for India whether it was true, as had been reported, that the right hon. Gentleman the Member for Devonport (Mr. Wilson) had accepted a very important appointment in connection with Indian finance? As he had himself given notice that he would that evening move some very important resolutions relating to that subject, he was anxious to know whether the right hon. Gentleman had accepted the proposal made to him to proceed to India. On the general question now before the House he would not detain them long. He had already stated his opinion that Parliament would, at an early date, have to take into serious consideration the expediency of giving India the benefit of an imperial guarantee. There was no doubt that the borrowing powers in India were almost exhausted, and in corroboration of that assertion he might state that out of a loan of £5,000,000 attempted to be raised at 5½ per cent in India the Government had been able to obtain only £1,000,000, although the loan had been before the public for a very considerable period. This country had not hesitated to go into the market for £20,000,000 sterling for the emancipation of the negroes in our West Indian colonies; it had also raised £10,000,000 for the mitigation of the sufferings of Ireland; and it had even pledged its credit on behalf of Turkey. Why, then, should it haggle and *finesse* in the most unstatesmanlike and undignified manner rather than enter the market to procure the means of affording relief to 180,000,000 of our own fellow-subjects in India?

MR. AYRTON said, that as he had already done on former occasions, he must again protest against the doctrine that the finances of India were exclusively the concern of India, and that that country must be left to depend entirely on its own resources. Such a doctrine could only stand on the assumption that the Government of India was like a colonial government. But in the latter case the Government was carried on under the direction of the people themselves, though under the supervision of some colonial authority. On the other hand, in India, we had established an English government which was entirely directed by English subjects, and controlled by the Government in this country. As long as the present system was pursued, it would be impossible to bring the expenditure of India within the resources of India. It was a wrong principle to propose loans from time to time for India, while the whole question of Indian administration was but imperfectly brought under the consideration of that House. Concurring in the recommendation of the hon. Member for London, he thought we should not enter into any complicated guarantees, but should obtain money at the cheapest rate on the credit of England, and then lend it to India on the security of its revenues. The reduction in the interest which India would thus have to pay might form a sinking fund, out of which both the principal and interest of her debt could speedily be extinguished. Why should we go on wasting £10,000,000 a year merely to maintain those abstract principles of political economy which were so dear to the dogmatists on the Treasury bench? He deeply regretted that they should persist in this course, but he regretted the more that they were entering upon those transactions without any explanations from the right hon. Gentleman the Secretary for India of improvements or political arrangements in progress which would render it unnecessary at some future time to sanction these loans. He had heard no explanation — nothing had been done or said which would lead them to the belief that at the end of next year the affairs of India would be in a better position than they were at present; and, indeed, an hon. Gentleman who knew a great deal about India had told them that next year there would be a demand for another loan. It was true, indeed, that the Government were about to send out an English financier, who by the magic of his inspiration was to set the finances of India in order, and afterwards turn his attention to the improvement of her civil administration. That, however, would be inverting the natural order of things. First reform the civil administration, and the finances would in a great measure correct themselves. Centralization in the Government of India had been the hobby of the Whig party; but it was to be hoped that the admirable State paper of Sir B. Frere on that subject would induce them to revise that system which had been the fruitful cause of so much of the evil by which India had been afflicted. The first step towards amelioration was to compel the civil services to feel that they were to govern India, not for their own convenience and advantage, but for the benefit of the Natives. It was to be regretted that the Secretary of State proposed to give way to the views of the "Old Indians" in regard to the maintenance of a local European army. The only effect of perpetuating the distinction between the local European force and the Queen's ordinary troops would be to sow afresh the seeds of that sedition which we had recently witnessed, and to impair the resources of both India and England. In point of efficiency as well as of economy, it would be far better to get rid of a European force in India that was purely local, and to substitute for it Queen's regiments, each having one battalion in India and another at home, and both being identical in interests and sympathies. There ought to be no local service for the officers, who ought all to enter the Queen's army, and when they had specially qualified themselves for duty in India they might be transferred to that country according to a principle of selection by merit. The mutiny in the Bengal army had been ascribed to the want of a sufficiency of European officers. That was a very convenient cry for the late Court of Directors, who wished to increase their patronage. Colonel Green, in his evidence before the Commission on the organization of the Indian army, stated that only four officers were requisite for a Native regiment, a greater number being not only unnecessary, but tending to lower the character of the officers in the opinion of the Natives under them; and the Commission itself had recommended for the irregular Native regiments a small staff of officers, who, by dint of their superior capacity, managed their men far better than the less efficient, but more numerous staff attached to the regular Native levies.

Colonel SYKES said, that he believed that if the hon. Member for the Tower Hamlets had ever been a single day with a Native regiment, the House would have been spared the remarks—for which there was no foundation—that he had just made on the subject of the Native army. A gentleman who had never been out of Bombay

could not well tell what a Native soldier had on his back when in the field. He (Colonel Sykes) had served with armies of the three Presidencies in the field, and emphatically declared that the efficiency of Native regiments in action depended entirely upon the number of European officers with them. Adverting to the subject more immediately before the House, he had next to offer a few observations, not as an apologist of the Indian Government, but in the interest of the taxpayers of India. There could be no doubt that the present financial condition of India had produced great distrust. He found that in India on the 19th of April last, the Four per cent loan was at 22½ per cent discount; the Five per cent loan, though guaranteed for fifteen years, was at 11¼ per cent discount; the Five and a half per cent loan now open, and obliged to be guaranteed for twenty years, was also at a discount; and the Treasury-bills were issued at the rate of 5¾ per cent. In England also the Loan Debentures, which were issued last year at 4 per cent, £95 paid for every £100 subscribed, were at 93½. As a contrast to this, on the 30th of April, 1854, the home bond debt of the Company was £3,899,500, the *minimum* rate of interest upon the greater portion of which was £2 10*s.* per cent, and the *maximum* £3 5*s.* per cent. In India, in 1853, the cash balances had accumulated to £15,439,135 sterling, and so satisfactory was the general state of Indian finance that the Marquess of Dalhousie was in a position to offer to pay off the Five per cent loans, and a financial operation took place involving a reduction of interest upon £28,222,452; whereas now money could not be obtained at 6 per cent. Even after that operation a loan was opened at 3½ per cent, towards which more than half a million sterling was subscribed. Why, then, the present revulsion? Was it that the revenue had been steadily decreasing? A table that he had in his hand gave the net revenue of India for the last fifty years. In 1809-10, it amounted only to £11,238,410; in 1819-20 it rose to £13,016,790; in 1829-30 to £14,200,005; in 1839-40 it stood at £13,742,360; in 1849-50 it increased again to £19,510,098; and in 1856-7 the gross revenues were £33,303,391. All this increase took place before the transfer of the Government to the Queen, and according to the statement of the Secretary of State the gross revenue of India was estimated in 1859-60 at £36,190,349. There had, consequently, been no ground whatever for distrust on account of the diminished capability of India to meet her engagements as far as revenue indications went. Well, then, could that distrust be ascribed to an enormous increase in the military expenditure during the period to which he had referred? In 1809-10 the military charges absorbed nearly 59 per cent of the net revenue; in 1819-20 they absorbed 64 and 2-10ths per cent; in 1829-30, they took 53 and 7-10ths per cent; in 1839-40 they were 57 and 7-10ths per cent; in 1849-50 they were 51 and 6-10ths per cent; while in 1859-60 they were estimated at 58 and 4-10ths per cent of the gross revenue. It ought not, therefore, to be the present military pressure that was the cause of distrust. Was it the pressure of the interest on the debt in relation to the net revenue of India? The pressure of the interest of the debt in relation to the net revenue in 1809-10 was 18 per cent; in 1819-20 was 12 8-10ths per cent; in 1829-30 was 12 1-10th per cent; in 1839-40 was 9 7-10ths per cent; in 1849-50 was 10 5-10ths per cent, thus indicating a gradual diminution of pressure but still infinitely lower than it was in 1809-10. For the year 1859-60 it was estimated at 13 9-10ths per cent on the gross revenue. At the moment the finances were getting into a healthy state, the Government of India was compelled to carry on expensive public works for irrigation, roads, bridges, and other undertakings beyond the means of the Treasury. The distrust which existed with regard to the finances of India was very much due to the recent mutiny no doubt, but it was also in part attributable to the statements of the hon. Member for Birmingham (Mr. Bright) and of the hon. and learned Gentleman who until recently represented Devonport (Sir Erskine Perry), who had taken a gloomy view of the question. What, then, was to be done under the circumstances? India was not like a colony, but was to be treated as a portion of this country, and it was for Imperial interests and not for Indian interests that the present loan was asked. It was said in a recent article in *The Times*:—

> "The first thing to do is to recognize the fact that India is now as much a portion of the British empire as Yorkshire or Westminster. To suppose that we can go on spending lavishly and borrowing recklessly, and that we can at some future day repudiate the obligations entered into by our officers, is a folly which is only redeemed from being a wickedness by its utter absurdity. England could no more repudiate her Indian loans than she could repudiate her Consols."

The remedy, then, which he (Colonel Sykes) would suggest, was comprised in two talismanic words, "Imperial guarantee," and the moment those words were embodied in an Indian Loan Bill universal confidence would replace the distrust which now existed.

Mr. GLYN said, he did not wish at that moment to enter into the question of an Imperial guarantee. He merely rose to express his satisfaction at one of the provisions of this Bill, which gave the Secretary of State a new power of creating either capital stock or annuities. He believed that it would be a useful and an efficient provision, and that his right hon. Friend would discover when he tried to raise the money that the market for debentures would be extremely heavy, and that it would be absolutely necessary, therefore, to have recourse to some other mode. He would suggest to his right hon. Friend whether he should not next Session introduce a Bill giving to the present holders of debentures the power, if they chose, to convert those securities from time to time, either when they were due or previously to their becoming due, by negotiation, into the new stock. It would be a convenient mode of dealing with the subject. It would relieve the debenture market, and would give his right hon. Friend a fixed instead of a floating and redeemable stock at a particular period.

Sir EDWARD COLEBROOKE observed that the announcement of an Imperial guarantee for a new loan would rather injure the holders of the older stocks. But the question of an Imperial guarantee was too large to be discussed at that moment, and it must eventually come before Parliament. When the right hon. Secretary for India made his statement with reference to Indian finance, he informed the House that a right hon. Gentleman was about to proceed to that country to set its finances to rights, and he wished the right hon. Baronet (Sir Charles Wood) would state distinctly what position that Gentleman was to occupy. He had understood the right hon. Baronet to say that this defect existed in India—that the same officials who were responsible for the collection of the revenue were not responsible for its expenditure. He had always supposed that the Governor General in Council was responsible both for the collection and expenditure of the revenue, and he thought nothing could be more dangerous than to set up a departmental authority opposed to that of the Governor General. If the object was merely to send to India a Gentleman who would take part in the Council, and who might be checked by the other members of that body, he believed that in such a position a person experienced in English finance might confer great benefits upon India, especially if he placed himself in communication with gentlemen possessing local experience; but if, as he understood from announcements in the public journals, this Gentleman was to supersede the public officers of the finance department in India, he thought a change would be effected in the constitution of the Indian Government which ought not to be made without the assent of that House. Such a measure would imply a want of confidence not only in the civil service of India, but in the Governor General himself.

Sir HENRY WILLOUGHBY remarked that he was also anxious to know something about this financial council. Being acquainted with the peculiar character of the civil service in India, he thought that unless great precautions were used they would make "confusion worse confounded," and do very great mischief. He considered that the question of Indian finance was in a rather perilous condition; but there was one point which he certainly could not understand. It was, who by law had the power of borrowing money upon the revenues of India? It appeared to him that the House, after having destroyed the Company, had no option but to look boldly in the face the question which related to that dependency, its finances, and its army. With respect to finance, he thought it was necessary that the borrowing power should be under one control, place that control where they would; and he had the highest opinion of what the Secretary of State and the new Indian Council had done since they had been in existence. In fact, the House knew little of how well and ably they had performed their duties. But he was persuaded that the power of borrowing and charging the revenues of India must be placed in one set of hands; for nothing could be more unwise than borrowing large sums of money in this country, and at the same time borrowing by open loans in a period of difficulty, and so destroying our own finances. He hoped, therefore, the right hon. Gentleman would explain in whose hands, legally, the power of charging the revenues of India now rested.

Mr. W. WILLIAMS said, all gentlemen connected with India seemed very anxious to have the guarantee of the capital and industry of this country for their loans, and no doubt it would be the most effectual guarantee possible. The present embarrassment of the finances of India was owing to the extravagance of the Government. They had been promised that the Government in this country would exercise a direct control over India, but that was not so; a most important despatch had remained unanswered for twelve months, and that showed how little the Government in India cared for the control over them. It would be a most fatal mistake to grant an Imperial guarantee. A paper currency was the only way to re-establish equilibrium in the finances of India. Retrenchment ought to commence in the home department of the Government. Any money required could be raised without a guarantee; and if once they commenced the system it would never be put an end to, and there would be a stop to all ideas of retrenchment and economy.

Sir CHARLES WOOD was understood to say, he quite agreed with the hon. Member for Evesham (Sir H. Willoughby) that it would be far more convenient that he should reserve anything he had to address to the House on the subject of the Indian army until the next Bill on the paper [The European Troops (India) Bill] came on for discussion. As to the great question of an Imperial guarantee, it was a matter of such vast magnitude and importance, and one on which such diametrically opposite opinions were entertained, as, indeed, had been somewhat exemplified in that debate, that, if discussed at all, it ought not to be discussed in the incidental and imperfect manner which was alone possible on that occasion. The Government had not deemed it advisable to make any proposal of that kind at present. At the same time he had thought it incumbent on him the other night to intimate his opinion that circumstances might hereafter arise when it would be the duty of the House at any rate to give that subject its most serious consideration. He did not, however, believe that the occasion had yet arisen, or that there was any pressing necessity for the consideration of the subject. He had also previously stated that the financial position of India opened so wide a question that he had not thought it expedient then to enter into the civil and military administration of that country. In the civil expenditure there was not much reduction to be made. Some of the civil salaries might, indeed, be reduced; but the chief source of retrenchment lay clearly in the military charges. Before the mutiny broke out the revenue and expenditure were almost equalized; and, now that India was rapidly resuming her former tranquil state, it was to be hoped that by the adoption of a system of government in accordance with the interests, the wishes, and the feelings of her people, a large diminution in the military expenditure would be effected. With regard to the sending out of a person to supervise, and he trusted to improve, the financial condition of India, he hoped that his right hon. Friend the Member for Devonport (Mr. Wilson) would be induced to undertake that task. [Mr. VANSITTART: Has he accepted the office?] He had not accepted it; but no other man in this country possessed the commercial and financial knowledge combined with the great Parliamentary experience of his right hon. Friend, or was so well qualified as he was to attain the end in view—namely the improvement of the system of finance in India. It was, of course, a very serious question for his right hon. Friend whether he would undertake a duty of that kind; and although he had pressed him to do so there were various considerations which rendered it doubtful whether he would accept the appointment or not. He hoped, however, that in a few days his right hon. Friend would be able to decide, and that the Government would be authorized in announcing that he had accepted a situation in which he would labour to promote the interests both of India and of this country. It was not for him (Sir C. Wood) to answer for what was said by other people, or what appeared in the public prints. The responsibility for the expenditure of India rested with the Governor General and his Council, and not with any single individual. The finances of this country, like every other public department, were, for example, under the special direction of a particular Minister; but everybody knew that the Chancellor of the Exchequer was not exclusively responsible in matters of revenue and expenditure. So, if his right hon. Friend the Member for Devonport, or any other person, went out to India in the capacity he had described, he would not go as the *alter ego* of the Governor General, and he would not be solely responsible for the finances of that country. He would be a member of the Council of the Governor General, taking charge of the financial department; but the Governor General and the Council would be responsible for his acts, because he could do nothing without their sanction and concurrence. He was glad to hear that the hon. Member for Kendal (Mr. Glyn) approved of power having been taken by that Bill for raising the loan either by debentures or by stock. There being a difference of opinion as to the best mode of effecting that operation, he thought it right, in the present state of the money-market, to arm himself with the power of taking either course which might be most advisable. The hon. Member would also see, that by the tenth clause of the Bill power was given to raise money for the payment of debentures by the creation of stock. In answer to the question of the hon. Baronet (Sir H. Willoughby) he had to state that there could be no doubt that the Governor General in Council in India had power under the authority of the Act of Parliament to raise money and charge it on the revenues of India, that power being exercised with the sanction of the Secretary of State for India and his Council in this country.

Motion made and Question proposed,—"That the Bill be now read the third time."

MR. NEWDEGATE said, that amongst the Orders of the day was a Bill for continuing the exemption of Roman Catholic Charities from the general law; and this being a day on which Motions took precedence of Orders this had occurred; that at three o'clock this morning it was proposed that the House should meet at one to-day, and that Orders should have precedence of Motions. The effect was to contravene the Standing Orders of the House, and this particular Bill would be brought in at a morning sitting upon a day when, according to the usual practice, it would have stood for the evening sitting. He wished to know when the right hon. Gentleman proposed to take the Charitable Trusts Bill.

MR. SPEAKER said, the course taken was in accordence with the rules and Orders of the House. When the House met before two o'clock the rule was to adjourn at four o'clock and meet again at six o'clock, and though no doubt it was a fault that no distinction had been made on the paper between the morning and evening sitting, no inconvenience could result if the rule were borne in mind.

MR. NEWDEGATE said, that to put himself in order, he would move the adjournment of the House. He wished to remark that the paper delivered to hon. Members, although it contained a number of Orders for the morning sitting, made no reference whatever to an evening sitting.

Motion made, and Question proposed—"That this House do now adjourn."

SIR GEORGE LEWIS said, he would take the Roman Catholic Charities Bill in its order. If any discussion was likely to arise, he hoped hon. Gentlemen would consent to postpone it till to-morrow, on the question that the Bill be committed.

MR. MALINS: Will the Orders have precedence in the evening?

SIR GEORGE GREY: No; the usual rule will be followed.

Motion by leave *withdrawn.*

Main Question put, and *agreed to.*

Bill read 3° and *passed.*

CHARITABLE TRUSTS ACTS CONTINUANCE BILL.

SECOND READING.

Order for Second Reading read.

SIR GEORGE LEWIS moved that this Bill be read a Second time.

MR. NEWDEGATE said, he was not aware of any understanding that the second reading of this Bill should be taken without discussion. The Bill was an exemption one, and he should move that the debate be adjourned until the Order of the day came on at the evening sitting.

SIR GEORGE LEWIS said, his reason for making the proposal was, that if not now read the Bill could not be passed this week. He would propose, therefore, that the second reading should be taken, and then, as was usual at that period of the Session, any discussion might be had on the Motion for going into Committee.

MR. NEWDEGATE said, this was not the first year that Bills on this subject were proposed to be hurried through at the end of the Session; he saw, however, that in the present state of the House it would be useless to divide; he therefore gave notice that, on the Motion for going into Committee, he would move that the House resolve itself into Committee that day three months.

Bill read 2°.

Mr. Speaker

BEVERLEY ELECTION.

House informed, that the Committee had determined—

"That Ralph Walters, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Beverley:

"That Henry Edwards, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Beverley:

"That the last Election for the said Borough, so far as regards the Return of Ralph Walters, esquire, is a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House."

EDINBURGH ANNUITY TAX.

QUESTION.

MR. HADFIELD said, he would beg to ask the Secretary of State for the Home Department, whether the Edinburgh clergy were compelling payment of the Annuity Tax by imprisonment?

SIR GEORGE LEWIS said, he really could give the hon. Gentleman no information on the subject. He had no control over the Edinburgh Clergy.

MASTERS AND OPERATIVES.—LEAVE.

MR. MACKINNON was understood to say, that the reason why he moved for leave to bring in a Bill at a time when a prorogation was so near at hand was, that the Bill might be printed and circulated through the country, so that hon. Members when they met again might form their opinion on the subject, and thus be in a position to legislate at an early period of the next Session. As some attention had been directed to this question by the strike which had lately taken place in the metropolis, and as many recently elected Members had not had the opportunity of considering the subject, he would briefly state to the House what took place in a former Parliament. Two years ago it was thought advisable by the House a Committee on the subject of Equitable Councils of Conciliation should take the matter into consideration, and of that ordered Committee he had the honour of being the chairman. The Committee had no feeling on the subject except a desire to arrive at the truth in regard to the operation of the present law and to do justice to all concerned. They examined many witnesses, both masters and operatives, men of intelligence and good information and well acquainted with the subject. They also obtained information from France and Belgium as to the manner in which the *conseils des prud'hommes* worked on the Continent. The evidence before the committee of the masters was rather contradictory, some being for equitable councils and others against such a measure. The evidence of the workmen, also, was of the same character, and preponderated in favour of the proposed alteration. All witnesses, both masters and workmen, had stated that the law, as it stood at present, was inoperative, and that some amendments ought to be made. The reference to a magistrate was disliked by the workmen, under the impression that the magistrate, except perhaps in the metropolis and other large towns, was himself a manufacturer, or a friend or associate of their master, and also that he was not competent to decide the question. But even as regards the metropolis an instance came before the Committee, which was as follows:—Mr. Hammill, the police magistrate for Spitalfields, when examined, stated the difficulty under which he laboured and the annoyance he felt at being obliged to decide the dispute between a silk weaver and his master: the latter said the silk was not well woven, the operative said it was. The magistrate could not decide, knowing nothing of the process of silk-weaving, and if he decided might give a wrong judgment. In fact, some other tribunals were necessary. Such was the general evidence given before the Committee, and as Chairman of that Committee he communicated with the French Ambassador here, and with M. Van de Weyer, the Belgian Minister. Both these gentlemen in the most kind and friendly manner obtained and sent him very voluminous papers to be laid before the Committee, the tenor of which was, that both in France and in Belgium the *conseils des prud'hommes* answered well and prevented disputes. For instance, it appeared from the information thus obtained that between 1850 and 1851 the number of disputes which arose in France between masters and operatives was 28,000, and of these 26,800 were settled by councils of conciliation. Now, adverting to the melancholy result of a strike that took place last week among the builders in this town, there could be no doubt that if an equitable Council of Conciliation had been in existence that strike would not have occurred. What was the case? The workmen in the present strike, without any previous notice, sent an uncourteous message to their masters insisting on such a concession. The masters, annoyed both at the demand and at the manner in which it was made, refused. Both parties felt exasperated, and a strike was the consequence. Now, if five well-informed workmen, representing their body, had met five intelligent masters, discussed the question quietly, and arrived at some understanding, all asperities would have vanished, and good feeling have been restored. In bodies of men, whether educated or not, anger or approbation were like an epidemic, and became contagious at last—they spread through numbers. Now, let him remind the House that Sunday Schools, cheap periodicals, facility of communication, and other causes had very much increased the information among the working classes; every one must perceive how their manners, their temperance, and their general conduct had improved; a mere act of Parliament, if they considered it to be partial, had no weight with them. Such, it appeared, was the case with the Act made in reference to the dispute being settled by a magistrate. Let him, therefore, express a hope that early in the ensuing Session, an Act establishing Equitable Councils of Conciliation might pass this House. So important a measure ought not to be delayed. It ought to be taken up by the Government, who, both from the weight their situation gave them and also from the information which they could so easily obtain, were in the best position to deal with it. In conclusion, he would move for leave to bring in a Bill to establish Equitable Councils of Conciliation to adjust differences between masters and operatives.

MR. KINNAIRD seconded the Motion.

Leave *given.*

"Bill to establish Equitable Councils of Conciliation to adjust differences between Masters and Operatives, *ordered* to be brought in by Mr. MACKINNON, Mr. INGHAM, and Mr. SLANEY."

CASE OF PRIVATE JAMES CAULFIELD.

OBSERVATIONS.

MR. JOHN LOCKE said, he rose to call the attention of the House to the case of enlistment, in Her Majesty's 96th Regiment of Foot, of the late Private James Caulfield, who, when under 15 years of age, was enlisted in that regiment at Westminster, on the 23rd of September, 1857; and, his discharge having been refused, he died from the rigours of discipline, at Parkhurst Hospital on the 21st of July, 1858. But for the lateness of the Session, he would have asked for a Select Committee.

He was induced to take up the matter in consequence of the petition of John Caulfield, the father of the deceased, and the representations of several respectable individuals, who took an interest in the matter, and certainly it did furnish an instance to show the necessity of keeping a watchful eye over the system employed for recruiting the army. It appeared that the deceased James Caulfield, being under 15 years of age, had been enlisted by a Sergeant Thomas.

MR. SPEAKER said, he must remind the hon. Member that he could not make a statement unless he intended to conclude with a Motion.

MR. JOHN LOCKE said, he would then conclude by moving for a Select Committee. The petitioner complained that his son, being under 15 years of age, had been enlisted by Sergeant Thomas for the 96th Regiment of Foot, the latter making to the magistrate a representation that the youth was 18 years of age, under which age his enlistment would have been illegal. The mother was subsequently prevented by Sergeant Thomas from proving her son's real age, and Sergeant Thomas was also accused of having represented to the boy that he would have 1*s.* 3*d.* a day and free rations. Young Caulfield was sent to the regiment in the Isle of Wight, where the labour of a private soldier proved too much for his tender age. He fell ill and a representation having been made of his condition by a private in the regiment to the lad's father, the latter applied for his discharge, but was put off on various grounds, and in the meantime the boy, who had been removed to Parkhurst, died from the effect of the toil and labour to which he had been exposed.

Notice taken, that Forty Members were not present: House counted; and Forty Members not being present,

House was adjourned at a quarter before Seven o'clock.

HOUSE OF LORDS,

Wednesday, August 10, 1859.

MINUTES.] PUBLIC BILLS.—1ª European Troops.
2ª Consolidated Fund (Appropriation); Stamp Duties; Customs (No. 2); East India Loan; Militia Pay; Reserve Volunteer Force of Seamen; Government of India Act Amendment; Reserve Force; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Corrupt Practices Prevention Act (1854) Continuance; Poor Law Boards (Payment of Debts); Medical Acts Amendment; Weights and Measures Act Amendment; Turnpike Acts Continuance; Dublin Police; Charitable and Provident Societies.
3ª Tacumshin Embankment; Midland Railway and Burton-upon-Trent Bridge; Coinage; Probates and Letters of Administration (Ireland); Police (Counties and Boroughs); Turnpike Trusts Arrangements.

Their Lordships met, and having gone through the business on the Paper,

House adjourned at half past Five o'clock, till To-morrow, half-past Two o'clock.

HOUSE OF COMMONS,

Wednesday, August 10, 1859.

MINUTES.] NEW MEMBERS SWORN.—For Devonport, Sir Michael Seymour; For Dartmouth, John Dunne, esquire.
PUBLIC BILLS. — 1° Masters and Operatives.
3° European Troops (India); Marriages (Lisbon).

PONTEFRACT ELECTION.

COMMITTEE MOVED FOR.

MR. BRIGHT said, that pursuant to notice he rose to move the appointment of a Select Committee to inquire into the allegations contained in the petition of Hugh C. E. Childers, Esq., presented yesterday.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the allegations contained in the Petition of Hugh Culling Eardley Childers, esquire, [presented 9th August,] relative to the withdrawal of the Pontefract Election Petition."

MR. OVEREND said, he could assure the House that he felt no small degree of humiliation and mortification that the first occasion on which he had the honour of addressing was in justification of his own conduct and vindication of his own honour. However, he did not complain that his Friend, Mr. Childers, had presented this petition, because if that gentleman entertained the feeling that he (Mr. Overend) had been guilty of a breach of duty, it was much more agreeable to his feelings to have it stated openly in that House, instead of expressing his opinion in private to his friends, and so allow him the opportunity of meeting the allegation and giving it all the refutation in his power. Moreover, he was greatly obliged to the hon. Member for Birmingham for having moved that this Committee of inquiry should be appointed, for his sole desire was that the whole thing should be thoroughly sifted. He did not desire to conceal anything; but he hoped that the subject would be fully investigated, for he believed the purity of his conduct would be established. On the very same day on which this matter was investigated before another tribunal he had notice to appear in his place in that House. That was on Friday, and he did attend; but on the following day (Saturday) he left for his professional duties in the north without having received the slightest intimation that any Motion was to be brought before the House. It was not till yesterday that he received a telegram at Lancaster that the matter was to come before the House this day. He thought in his absence—when no person acquainted with the circumstances and who could make any statement on his behalf was present in the House—it would have been fairer towards him if the hon. Member for Birmingham had at all events abstained from using one strong expression which was never applied to any gentleman except under circumstances of clear and distinct proof. He thought it was a great hardship to him that a word which had for the first time been used in connection with his name should have been applied to him in his absence. [Mr. BRIGHT: What word?] He referred to the word "defrauded." He would say no more upon that point, but he would proceed to make such a statement to the House as to show that at all events in regard to the question of fraud or *mala fides* there was not the slightest imputation upon him. It was true, as was stated in the petition, that he and Mr. Childers were opponents at the last election for Pontefract, and that he (Mr. Overend) was the successful candidate, having been returned by a majority of ten. Immediately after the election he had certainly heard that a petition had been presented to the House, imputing bribery and all the usual charges in such cases against him; and he need scarcely assure the House that it gave him considerable pain, for although he was perfectly conscious of the purity of his own conduct, nobody could be sure of the conduct of his agents. He therefore made inquiries into the matter, and instructed his agents to defend his seat. He went into evidence at considerable trouble and expense, with the view of ascertaining what was his real position; and he was instructed that he had as good a chance as any man could have of successfully defending his seat. Having received that assurance, having retained counsel, and done everything in his power in the expectation of fighting the petition, he went on circuit. He had no communication, either with his London agent, Mr. Rose, or with his agent in the country, Mr. Cariss. In fact, he knew nothing about what was done in London or the country; but presumed that they were preparing evidence, and getting up the case for the defence of the seat, and preparing for the fight whenever it might come off. Whilst at York, in the midst of conducting a trial, without any previous notice that any communication or negotiation had taken place between Mr. Leeman, the agent of Mr. Childers, and Mr. Rose, he received the following telegram from the latter, dated the 19th of July:—

> "L. [meaning Mr. Leeman] offers to withdraw the record upon my agreeing with him to refer all questions arising out of the late action [which meant the election] to a Member of the House of high standing on our side; both parties to be bound by his decision. May I consent? I think it a fair offer and intended for a dignified withdrawal. Telegraph reply at once."

What he understood from that telegram was that it was proposed that certain questions arising out of the petition should be referred to some hon. Member of that House, and that the proposal was intended to pave the way for the more dignified retirement of Mr. Childers. Thereupon, feeling that it would be absurd to refer the question of the seat, he took the opinion of two learned Friends of his, one of them being the brother of a distinguished Member of that House, and the other one of the counsel engaged to defend his seat before the Committee, with regard to the meaning of the telegram. He said to them at the time, "It is absurd to refer the question of the seat, for see in what a position I shall be placed. If I refer that question to a private gentleman I shall have no opportunity of calling witnesses before him; he will not be able to administer oaths; we cannot have the advantage of a cross-examination in public; nor would there be any power of preferring indictments for perjury if that offence should be committed. The result of such a reference would, therefore, be to place my character and my seat entirely at the mercy of any bad or wicked man who might come up from Pontefract and tell any falsehood he pleased." He and his Friends discussed the subject fully, and they came to the conclusion that it was impossible any question as to the seat could be intended, as that would be usurping the functions of a Committee of the House of Commons, and would involve a breach of the privileges of that House, for which the persons concerned might be called to account. After an elaborate discussion, it being stated distinctly that this was a dignified withdrawal on the part of Mr. Childers, he came to the conclusion without the slightest doubt, that the seat, which he had determined he would not submit to reference, because he was certain he had every chance of success if the matter went before a Committee, was not in jeopardy, nor was the question of the seat at issue. He therefore sent a telegram, of which he had not the exact terms, but which was to this effect :—" Do the best for me—I place myself in your hands." In order to show the *bonâ fides* of his conduct, and what was the impression upon his mind, he might read a letter he had addressed to Mr. Lefroy, a gentleman who had assisted him during his canvass, along with a copy of the telegram he had received from his agent. The letter was in these terms :—

" On the other side you will see my telegram. I do not understand it, but I have put myself in Rose's hands, and told him to do the best for me. 'All questions arising out of the late election' cannot possibly involve my giving up the seat, in any event, I should think."

Therefore, on receiving that telegram, and before anything took place, he assumed that it was meant as a dignified withdrawal on the part of Mr. Childers. He had so stated to his friends whom he had consulted. He had also written to his Friend Mr. Lefroy that such was his impression, and then he waited to see what would be the result of the next day's communication from Mr. Rose. Next day, therefore, there came down the memorandum he would now read to the House, and which was dated the 19th July, 1859.

(" Private and Confidential.)

" PONTEFRACT ELECTION PETITION.

" It being distinctly understood that no personal charges can be brought either against Mr. Overend, on the one hand, or Mr. Childers on the other, and having regard to the peace of the borough, which would be greatly disturbed by proceeding with the petition, it is agreed that the petition shall be forthwith withdrawn, and that instead of proceeding with the scrutiny, it shall be referred to Mr.—— to decide upon hearing a statement of facts from both sides, and evidence, if necessary, on any disputed point as to what ought to be done between the parties, both the sitting Member and the Petitioner being bound to act upon his award.

(Signed) " PHILIP ROSE.
GEORGE LEEMAN."

Now on looking at this memorandum it was quite clear at all events that there was nothing about the seat. It was quite clear that the petition was to be withdrawn, that there was to be no scrutiny, and that it was to be referred to a certain gentleman, to be afterwards named, to decide upon a statement of facts from both sides, and to receive evidence on any disputed point. He submitted this to his friends, and said that something might arise out of it having relation to the next election ; but that as to referring the question of the seat, that could not be legitimately done. That, then, was the opinion which he expressed, and in which his friends concurred. As a further proof of the accuracy of his opinion he received at the same time a letter from Mr. Rose, the whole of which he could not read to the House, because it contained some expressions that were of a confidential nature. Mr. Rose, in that letter said :—

" My dear Sir,—Your petition will be settled by the inclosed memorandum. The name to be filled in was —— or—— (giving two names) if either of those hon. Members will undertake the reference. I think you will be amused at this termination. I certainly am. It is clear Mr. Childers did not wish to consent to a withdrawal *pure et simple*, but they don't mind withdrawing upon an illusory arrangement such as this. I have done all I could to let them down gently. It has required delicate handling, and Leeman has been backwards and forwards the greater part of the day. I will telegraph to you when the petition is actually withdrawn, but I think you may conclude it is as good as done, and I heartily congratulate you. I shall propose that we meet after the long vacation."

He appealed to the candour of the House, then, whether, after receiving such a document as that, which never said one word about the seat, after he had been told in a telegraphic despatch that it was intended as a dignified withdrawal on the part of Mr. Childers, and by Mr. Rose in his letter that it was an illusory arrangement which had only caused him merriment; and after he had been told that whatever inquiry was instituted would not take place until after the long vacation, he put it to the House whether, acting on his own judgment, and exercising common understanding, he could have arrived at any other conclusion than that the agreement come to was not an agreement, which put in jeopardy his seat, or exposed his character to all sorts of imputations by persons who were not bound by an oath, who were not liable to the penalties of perjury, and would not be subject to cross-examination. Was it likely that a gentleman of the experience of Mr. Leeman could enter into an agreement involving the seat? It was most improbable; and he (Mr. Overend) had been misled extremely if such were the case. He was stating the facts as fairly as he could to the House. He had had no communication with Mr. Rose before receiving the telegram, nor after receiving his letter. All he did was to write Mr. Rose a letter, stating that he was in great haste, and had only time to say—"I am much obliged to you;" and there ended the matter, so far as he was concerned. The next thing that occurred was this. The following day, or the day after that, one of his strongest supporters at Pontefract came to him and said that Mr. Childers and Mr. Leeman had been down to Pontefract and represented that the matter was to be investigated, that they were confident of success, and that Mr. Childers would be elected in a fortnight; and that his (Mr. Overend's) party, on hearing this announcement, were very much surprised at it, and could not understand it, as they had received a telegram stating that the matter was ended. Thereupon he showed his friend the telegram, the letter, and the agreement, and pledged him his word of honour that, in his judgment and belief, the whole question was settled; that the seat was not in issue; that he would never have consented to the seat being in issue; that, if it were, he protested against any kind of reference, on the ground that it would be illegal, and that if any negotiation were going on he had had and would have nothing to do with the matter. He requested his supporter to go back to Pontefract, and tell his friends what he had said; and he accordingly went back and told them that Mr. Overend had pledged him his honour that the seat was not in question; for on the one side it had been stated that the seat was in question, and on the other that it was not. Notice of this was given to Mr. Childers, whose agent was also communicated with, and informed that as far as he (Mr. Overend) was concerned he protested against the question of the seat being considered in issue. Now, if Mr. Childers insisted on a different interpretation of the understanding, and intended taking any step in consequence of that view, it ought to have been done at once. Mr. Childers should have written to him. He ought to have called immediately upon the gentleman whose name was mentioned in the agreement, and have brought the matter before the House. But instead of that, the thing went on and on; and he (Mr. Overend) never heard a word more about it from the 19th of July until the 30th, when, being at York on his professional duties, he received a letter from his agent, Mr. Cariss, to the effect that there had been a proposal made by Mr. Leeman to go down to Pontefract and take evidence. In reply to that communication, he (Mr. Overend) said—

> "In justice to myself, and also to Mr. Childers, tell him I understood the question of the seat was not to be gone into; that I never have referred, and never would refer it; and if that question is to be put in issue, I must abstain from entering into any arrangement."

On the 1st of August he received from Mr. Cariss a letter, which he would read to the House, to show his *bonâ fides:*—

> "Before the agreement was signed Mr. Rose and myself discussed the question as to the seat; and he, in the presence of Mr. Scott, over and over again said that it was at rest, and the question could not be raised, and in all our interviews and correspondence since he has always repeated the same. I know he is still of that opinion, and I send you a copy of my letter to him, which explains what was done at Pomfret to-day, and how we broke off the inquiry. The point is for him and Mr. Rose to settle."

He was reading to the House the private correspondence of his own agents. Mr. Cariss also sent a letter to Mr. Rose on the same day, the 1st of August, in which he said—

> "I was to have met Mr. Leeman at Pomfret this morning for the purpose of drawing up the statement of facts to be submitted to the referee; but Mr. Wilkinson came in his stead. Of course, before entering upon the subject, I told him our impression was that the seat was entirely, and without question, given up to Mr. Overend, and that both Mr. Overend and ourselves and party had so understood the agreement from the first, and so treated it throughout. He said Mr. Leeman and Mr. Childers did not so understand it, but his and their impression was that a scrutiny should be gone into before the referee, and they claimed a void election, or rather a new election. I declined, therefore, to go on with the preparing of any statement, and we parted, Mr. Wilkinson going to London, where no doubt he and Mr. Leeman will see you on the subject. We have never had any impression otherwise than that the claim to the seat was abandoned, and you will remember we discussed this point, and you had no doubt on the subject. Mr. Overend was so told by you in

the first instance, and we have always repeated this to him. We must leave you, therefore, to deal with Leeman as you deem best for the interest of Mr. Overend; but the point must not be given up."

He appealed to the House, then, whether he had not shown that he had acted upon the belief, derived from the information and assurance which he had received from Mr. Rose and Mr. Cariss, that there was no question at issue about the seat. And if that were so, was he not justified in taking his stand where he did? Was he to jeopardise his position? He would have refused to refer the seat *pure et simple*, and he had so refused. Was he then to give way to the claim set up by Mr. Childers? Certainly not. Mr. Childers did perfectly right in insisting upon the matter being brought before the gentleman who was appointed to hear it, and who very kindly sat for the purpose of hearing the question discussed on Friday last. He (Mr. Overend) attended that meeting, and when Mr. Leeman, who appeared for Mr. Childers, began by making a statement about claiming the seat, he (Mr. Overend) got up and said, "Now, Mr. Leeman, let us understand this. If you are going for the seat, I protest against it. This referee"—whose name he would not then mention—"has no right to enter upon that inquiry. I have never referred the matter to him. He has no power to consider it. He could not if he would, because it would be a breach of privilege. Never having referred it, then, I protest against his entering upon the inquiry." Thereupon, the referee sent for two gentlemen, one from each side of the House and possessing the confidence of the House, to consult them upon the matter. They were of opinion that if the seat were at issue, or if it were a matter of scrutiny, the referee unquestionably could not enter into the matter. That Gentleman then said that the question of scrutiny had been abundantly discussed, and that he could not go into such an inquiry in the face of the notification of the hon. Member for Birmingham that such a proceeding would be illegal. [Mr. BRIGHT: I did not say so.] All he knew was that the gentleman to whom he referred thought the hon. Member entertained that opinion; and after that he said, "I feel extremely embarrassed. What am I to do?" The next document to which he wished to call the attention of the House was a letter written on the previous day by Mr. Leeman to Mr. Rose, as follows:—

"Fendall's Hotel, Six o'clock,
August 4, 1859.

"Dear Rose,—The matter is one, not for (*the referee*) or Mr. Cariss, but entirely between you and me, and I must hold you to the performance of it. The whole misunderstanding is one on your part only, as you now see, and it can be put right by you in a moment. Much as we have been prejudiced by its continuance, we shall be ready even at the eleventh hour to accept your statement that it is over, and Mr. Cariss, or yourself, and I can settle our evidence at eight a.m., so as to be ready for (*the referee*) at twelve. At what hour this evening shall I have a positive answer to this, remembering that I have been waiting since ten this morning?—Yours very truly,

"P. Rose, Esq." "GEO. LEEMAN.

To that letter Mr. Rose answered in these terms:—

"6, Victoria Street, Westminster Abbey, S.W.,
August 4, 1859.

"Dear Leeman,—What you ask of me you must be aware it is impossible for me to perform.

"I cannot alter the terms of reference, nor can I conceal the impressions under which I agreed to them, and which I communicated at the time to Mr. Overend.

"I admit, now that you have explained what was passing in your mind, that you meant one thing, while it was equally clear that I (and Mr. Overend through me) understood another.

"In this state of affairs the memorandum ought to speak for itself, and I think any one will admit that it is a fair interpretation of my understanding.

"But I should not be content to rely upon a mere technical construction of the wording of a memorandum intended to embody an honourable understanding, and I am quite ready that (*the referee*) should decide, after hearing your statement and mine, what ought, as between men who only intended fair dealing, to be the scope and extent of the reference, and I have no doubt Mr. Overend will feel bound to act upon any interpretation which (*the referee*) thinks ought to be given to it.

"More than this ought not, and cannot, be asked.

"If our views and intentions had been identical, you would have been entitled to hold me to the most complete fulfilment of the understanding; but when it is seen that we were wide as the poles in our conception of the arrangement, while I do not insist upon a rigid adherence to my view you cannot expect an arbitrary concession to yours. It is such a difference as can only be decided by an honourable man between all parties, and I doubt not the decision of (*the referee*) will be satisfactory to us all.

"At the same time, I deeply regret that any controversy of this nature should have arisen between us.—Yours very truly,

"PHILIP ROSE.

"Geo. Leeman, Esq. Fendall's Hotel."

Copies of these letters were shown to him (Mr. Overend), and when he had read them, he stated that if the question of the seat were to be gone into, he should still adhere to his protest that that should not be referred. In the course of the discussion before the referee on Friday, he pointed out the absurdity of referring the matter to a private and an inefficient tribunal like that, and gradually they slided into the question of what the agreement meant by itself. Mr. Leeman discussed it and put forward his view, and Mr. Rose put forward his; and after a great many statements pro. and con, by Mr. Leeman and Mr. Rose, the referee, said, "My opinion is that both parties have acted *bonâ fide*—Mr. Rose on the one part, and Mr. Leeman on the other; but my difficulty is this, and I am bound to say so: that supposing they do not understand each other, where am I to find the agreement? for when I look into the agreement I find nothing about the seat, and I feel that I cannot compel Mr. Overend to refer the matter to any other tribunal." Up to that time he (Mr. Overend) was no party to, and was not concerned in, any proposal to refer the question of the seat; but ultimately, after hearing the controversy, and in order that there should be no ground for supposing that he would be guilty of bad faith, that he had violated any pledge implied by the agreement, or that he had deserted his agent, he said to the referee, "I will throw myself entirely upon you, sir, and abide by what you say ought to be done." But immediately upon his saying that, Mr. Leeman said, "I withdraw altogether." Thus it would be seen that he (Mr. Overend) had declined to refer the question of the seat in the first instance, but at length had agreed to everything. Still, although he did that, and all that could be done between man and man, Mr. Leeman withdrew from the reference, and said, "There is an end of it." After that had taken place, he came into the lobby of the House, where he saw Mr. Leeman, who said, "I give you notice to appear in your place to-night; the matter shall not stop here; it must be mentioned to the House." That evening, therefore, he stayed in the House a considerable time, until he was assured that there was no chance of the subject being brought forward; and later in the evening, about half-past eleven, his agent saw Mr. Childers, who said that they had no intention to bring it forward. That, then, was all he knew about the matter, and he did say that to bring an imputation of fraud against him, behind his back, without notice, and with no one to appear in his behalf, was most unfair. At the same time let it it be understood that he had no objection to the appointment of the proposed Committee. On the contrary, he felt obliged to Mr. Childers for having asked it. He himself should be the first to support an inquiry, especially as that inquiry involved a question which affected his character and honour as a Member of that House. With regard to the allegation that his friend Mr. Rose had made a suggestion about the payment of monies, all he knew was that he had given no authority to any one in that respect, and that he had taken no part whatever in the matter, although something was said about money before the referee. What he had done was to receive a telegram and answer it; to receive an agreement and a letter which accompanied it, and to write back his thanks. And that was all he knew of the transaction. He had been assured by everybody whom he had consulted—and he had taken that assurance as strictly *bonâ fide*—that the seat was not at issue, and all his conduct showed that he himself never thought it was at issue. He felt that he had not the power to refer the question of the seat, even if he were willing to do so. Therefore, what he had done before the referee was in accordance with good faith, and with what he was bound to do in justice to himself, his constituents, and this House. Without objecting, then, to the proposed inquiry, he hoped that in performing the painful task of having to justify his own honour and character in that House he had not been unsuccessful.

Mr. BRIGHT said, he was not about to offer any reply to the speech of the hon. and learned Member, as he did not stand there in the position of an accuser. He was as anxious to leave town as other hon. Members, but when Mr. Childers and his friends asked him to present this petition he felt that the case was one which was of a nature that scarcely allowed him to refuse. He had, therefore, presented it to the House, and he now submitted a list of hon. Members who, it must be admitted on both sides, would form a fair and impartial Committee for the examination of the allegations contained in the petition. The hon. and learned Member had rather complained that proper notice had not been given him of the proceeding; but according to a memorandum with which he (Mr. Bright) had been furnished he was assured that the hon. and learned Member had received verbal notice that the petition would be presented to the House before he left the referee at three o'clock on Friday; that

Mr. Cariss, his agent, had waited outside the House to see if any petition would be presented; and that Mr. Childers, who had been seated under the gallery, went into the lobby at midnight and asked him where Mr. Overend was, and requested him to tell the hon. and learned Gentleman that the petition would not be presented that night; that about two o'clock in the afternoon of Monday, Mr. Rose received a written notice that the petition would be presented that day, and that at a late hour that night a notice was written to Mr. Rose that it would be presented at one o'clock on Tuesday. There might have been some delay in the delivery of the latter note; but upon the whole he (Mr. Bright) thought the hon. and learned Member had not much reason to complain on the ground of a want of notice. There was, indeed, no intention whatever not to give him fair notice. The hon. and learned Member had alluded to a word which he said that he (Mr. Bright) had used in presenting the petition. He had not seen the report of his observations; but what he had meant to say, and what he believed he had said, was that the whole matter looked as if Mr. Childers had been —— and he then paused a moment and said he wished he could find another word for it, because he did not wish to make any accusation against the hon. and learned Gentleman, but it seemed as if Mr. Childers had been jockeyed—"defrauded" was, he believed, the epithet he had employed—out of the seat. Perhaps the hon. and learned Gentleman himself would admit that Mr. Rose had been a little too sharp in his practice. The hon. and learned Gentleman had said at the close of his speech that he at last agreed to refer that which he had all along protested against referring to arbitration. There was no use disguising what all the world is supposed to know—that Lord March was the nobleman to whom the reference was to be made, and he had no doubt but that both sides were right in asking that noble Lord to decide. But the fact, as he was informed, was that it was not until Mr. Leeman and his friends had shut up their papers and withdrawn that the hon. and learned Gentleman consented to do that which he had all through protested against doing. He was further given to understand that the hon. and learned Gentleman had not been willing, in consequence of Lord March's scruples as to a breach of privilege, to agree to a reference to some other hon. Member, as had been originally proposed, in the case of any difficulty with that nobleman. The hon. and learned Gentleman had all along assumed that the seat was not involved. He was not about to dispute that. But they all knew very well what was generally involved in an election petition and an election committee; and, as Mr. Leeman had positively refused to have anything to do with any money consideration, or the payment of expenses by the hon. and learned Gentleman, it seemed clear to a non-legal mind like his own, that the only question which could arise was whether the seat rightfully belonged to him or to his opponent, Mr. Childers. There never were two men so utterly childlike as Mr. Leeman and Mr. Childers if they went through all those negotiations without those negotiations or the proposed reference in any degree affecting the question who was to be Member for the borough of Pontefract. Then came another point. The hon. and learned Gentleman had apparently been in the hands of an agent whom he did not know anything about. But it was a rule with Election Committees that if they could only catch the agent to a Member, the Member was made responsible for his acts. It was also consonant with a rule of law, which no doubt the hon. and learned Gentleman had often sustained with force before a jury, that it could be no answer to Mr. Childers to say that the hon. and learned Gentleman had been in bad hands. In his telegram, the hon. and learned Gentleman told his agent, "Do your best for me: I leave myself in your hands." And if Mr. Rose thought it was an "illusory engagement"—if he thought it was a matter that he would chuckle over, to show how nicely he had managed Mr. Leeman and Mr. Childers, then Mr. Rose was not the man to conduct matters of that kind for Members of that House, or to have any transactions as a Parliamentary agent with them. If the hon. and learned Gentleman was not to be bound by the acts of his agent, that he would only leave for his own decision. He made no charge against him. He stated the allegations of the petition, which, from all he could hear, were fairly drawn. He had proposed an unexceptionable Committee of hon. Members of that House to inquire into those allegations. His duty was fulfilled. He was not to be a member of that Committee, and would have nothing to do with the award. But if the matter was investigated, he hoped that the Committee would give an opinion which would at any rate satisfy the House that there had been nothing unfair or dishonourable on the part of the hon. and learned Member and his agent. He trusted likewise that their decision would be such as to satisfy the wounded and, he might add, irritated feelings of Mr. Childers and Mr. Leeman, who had been the victims of that transaction.

Mr. OVEREND said, he rose to—

Mr. SPEAKER said, it was competent for the hon. and learned Gentleman to explain, but not to make a reply.

Mr. OVEREND said, it was his wish to explain. It was not the fact, as stated by the hon. Member, that the papers of the other parties had been folded up when he offered to agree to the reference. With respect to his agent, the communications alluded to by the hon. Gentleman took place after the agreement had been signed.

Sir WILLIAM JOLLIFFE observed, that he should not have said a single word on this subject, had it not been for the observations that fell from the hon. Member for Birmingham at the conclusion of his speech. The hon. Member had obtained what he had sought for—the investigation of a Committee; and therefore he regretted that the hon. Gentleman should have so far prejudiced the matter as to make a downright condemnatory censure upon one of the parties concerned. For himself he must say, that the first time he heard of this matter was when the petition was withdrawn. He knew nothing of any arrangement entered into in the matter; and he had only heard of the controversy when it was proposed to be gone into before his noble Friend. He had attended at that meeting; but the whole of what took place had been described with so much fulness and accuracy by his hon. and learned Friend, that there was nothing left for him to describe to the House except this one fact, that he certainly understood that Mr. Leeman fully admitted that all through the course of these transactions Mr. Rose had declared to him that on no account would he allow the seat to be called in question; and he even admitted that when the agreement was brought to him to sign, some controversy took place on the question whether it did or did not involve the question of the seat. But in the face of all that Mr. Rose stated on that head to Mr. Leeman, he on the part of Mr. Childers put his name to the agreement. How that gentleman, whose acuteness was beyond dispute, and who admitted that all through these negotiations Mr. Rose insisted that the seat was not to be called in question—how in the face of all this he could put his name to an agreement drawn up like the one before them, and which would not bear the interpretation now sought to be put upon it, he (Sir William Jolliffe) could not conceive. That act alone would have justified Mr. Rose in thinking that he had placed the right interpretation upon the nature of the agreement; and it was therefore rather hard that, on a mere *ex parte* statement, Mr. Rose should be characterized as unfit to conduct any Parliamentary business before that House.

Mr. DISRAELI: Sir, I think it will be admitted that the hon. and learned Member for Pontefract has set himself quite right with the House on this matter. Whatever may be the general decision of the House on the subject itself, I believe he has shown that he has been actuated throughout this business, as far as he was himself concerned, by that sense of honour which I trust will always regulate the conduct of every Member of this House. I have no desire in any way to question the motives which may influence Mr. Childers. I remember Mr. Childers when he was a Member of this House. ["No."] I thought that the petitioner was the gentleman whom we all remember with respect; and if it had been he, I was about to say that I should be glad to see him again in this House; although perhaps he and I might not often have met in the same lobby. But I see no reason to doubt that the gentleman whose petition is before us has been guided by motives as correct as those which have unquestionably guided the conduct of the hon. and learned Member for Pontefract. I know very little of these transactions. I read the petition this morning, and it is only, I believe, within the last forty-eight hours that I have heard of the possibility of the subject being brought before us; and, indeed, when the hon. Member for Birmingham alluded the other night to a borough in the north of England where there had been a compromise, I was quite in the dark as to the case to which he referred. But I read this petition this morning, and certainly it is a very remarkable petition. My impression is that it treats of circumstances which, strictly speaking, ought not to be brought under the cognizance of this House. They are circumstances with regard to which we must appeal to that principle of honour which, in my opinion, is not a fit subject to be dealt with by a Committee of the House of Commons. But, as the question has been introduced here, it may be better, on the whole, that the investigation should now proceed, although I think we are laying the foundation of a precedent which may hereafter prove inconvenient. There are one or two observations which I cannot refrain from making on this petition. In the first place, if the seat of the hon. and learned Member for Pontefract was to be vacated in consequence of an agreement, it is very remarkable that that which was a principal object of the agreement, according to the statement of the petitioners, was not expressed in the document. It is not an unusual thing, when an election petition is withdrawn, for an agreement to be entered into that one of the Members against whom the petition is presented should vacate his seat. That, I say, is not an unusual course; although in my opinion it is one which ought not to be encouraged. I opposed that practice some years ago. I supported the hon. and learned Member for Sheffield in his Motion the other night, the object of which was to arrest and discourage such proceedings; and I have no cause whatever to regret the vote I then gave. I think the House, in a somewhat precipitate manner, took a step the consequences of which may be very injurious to its own character. I remember that some years ago, when that very question was before us on a Motion made by the same hon. and learned Member (Mr. Roebuck), the noble Lord the Member for London, then the leader of this House, and Sir Robert Peel, sitting on these benches, both concurred in voting in disapproval of the Stewardship of the Chiltern Hundreds, or any other office of that kind, being granted under these circumstances to any Member of this House. And no one then stopped to calculate whether the advantage of such a Motion would be on the one side or on the other; but the leaders of both sides agreed that its adoption would in all probability be most conducive to public justice, and must tend to check corrupt practices. They therefore gave the vote which I myself gave under similar circumstances a few nights ago. But if it be the fact, as we all know it is, and as we have ample evidence in the proceedings before our Parliamentary Committees, that when these agreements are made, they are always specified in writing, and there is an undertaking from the hon. Member who intends to retire that he will apply for an office under the Crown, how is it that in this case, where Mr. Childers was represented by a very able and experienced election agent, that condition is not laid down? It ought to be referred to, if referred to at all, in precise language; and certainly if such a condition was meant to be binding, there is no reason of a satisfactory or even imaginable kind why it should not have been expressed. If that condition had been expressed there could have been no difficulty upon the subject. Some observations have been made upon the conduct of the gentleman who was the Parliamentary agent of the hon. and learned Member for Pontefract. The hon. Member for Birmingham made a very severe attack upon that gentleman, which it appears to me, considering that he was moving for a Committee of inquiry, and that the present was not the moment for discussing the merits of the case, was not conceived in that spirit which we had a right to expect to be displayed by the hon. Member. I, therefore, feel it to be my duty to say that I have with Mr. Rose an acquaintance which has existed for many years. He is a member of a family that lives in my neighbourhood in the country—a family that has existed in Buckinghamshire for several generations in a position of great and deserved respectability. I do not know an individual in whose integrity I have more confidence. He is a gentleman who, from his large transactions in London, is known to a considerable number of persons, including I dare say many hon. Members of this House, and I am quite sure that no gentleman can ever have been placed in communication with him without feeling that he was dealing with an honourable, honest, and straightforward man. I have no doubt that when the proposed Committee investigate the whole of this matter, and Mr. Rose is brought before them, they will draw from the manner in which he gives his evidence the same inferences which I have always drawn from my experience of his conduct through life, which has been a course of unvarying, and I may say distinguished integrity. I shall not stop to inquire why the hon. Member for Birmingham made so severe an attack upon Mr. Rose, nor shall I ask whether it may not have arisen from the exertions of Mr. Rose in other boroughs. I think, however, it would have been better if the hon. Member had refrained upon the present occasion from avenging any injury which he fancies he may have experienced on a different scene. As the House seems to think that this gentleman having been brought before us, it is better that a Committee should be appointed, I shall not resist the Motion to that effect. I dare say, if we had been as well acquainted yesterday as we are now with the statement which the hon. and learned Member for Pontefract has made, we should have hesitated before we called in the authority of a Committee of this House to investigate a matter which, after all, had better have been left to those means which are usually employed to investigate circumstances affecting private character. I do not well see what we can do, even if the allegations in the petition of Mr. Childers be proved to the satisfaction of the Committee. We can only exercise over those who are supposed to have injured Mr. Childers such influence as may consist in an expression of moral indignation; but that might have been equally done, if, when this misunderstanding had taken place, it had been referred privately to a gentleman who, his character and position in this House or in society being beyond reproach, would have been able to arrive at a decision which would satisfy the demands of justice. But to withdraw after the manner in which this question has been brought before the House might lead to inferences which, perhaps, we ought not to encourage, and on the whole it is better when a misunderstanding of this kind has arisen—a misunderstanding which was originally supposed to involve the character of a Member of this House, and which the observations of the hon. Member for Birmingham might lead us to suppose involves the character of a gentleman connected in a more humble position with this House—that an inquiry should take place. I must congratulate the House upon the explanations that have been given in their places both by the hon. and learned Member for Pontefract and by the late Member for Bodmin (Dr. Mitchell). It must be a source of satisfaction to the House, that both in this and in the other case the gentlemen concerned have shown that they were in every way worthy of sitting in this House among those who are now Members of it. I may take this opportunity of stating, that in the vote I gave the other night in a case analogous to the present, I was not in the least influenced by any consideration affecting the individual principally concerned. It was the first opportunity I had of expressing the strong opinion I entertain upon the system of granting nominal offices under the Crown to those Members of Parliament whose returns are petitioned against for corrupt practices. The Motion of the hon. and learned Member for Sheffield was one which I did not approve as far as its formal expression was concerned, and I said so at the time; but as I, and almost every Member of the House, agreed in the spirit of that Resolution, I felt it my duty to vote for it, in order to express my opinion that the general course which it recommended should be adopted. I regret that it was not adopted, and in the present case, which is not identical though analogous, the course which is recommended by the hon. Member for Birmingham will receive my support. But I want to ask the House what is the remedy that is to be given to Mr. Childers, if the House is of opinion that he has received sharp practice at the hands of the sitting Member or his agents, which I believe, however, he has not received? Can we allow Mr. Childers to renew his election petition when the House meets again next year? I do not think we have any such power, but it would be as well to consider whether the means of permitting him to do so may not be found. That would be a more satisfactory solution of the difficulty than any which we are likely to arrive at by the appointment of a Committee, because a Committee can practically do nothing in the way of affording a remedy to Mr. Childers, while it may usurp a duty which society at large, and not a Committee of this House, ought to perform.

Sir GEORGE GREY: I agree with the right hon. Baronet the Member for Petersfield that, as it seems to be the general opinion of the House that the Motion of the hon. Member for Birmingham should be carried, we should abstain upon the present occasion from entering into a discussion of the merits of a question which is to be submitted to the consideration and investigation of a Committee. I therefore regret that the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) should have given us his opinion as to the effect and tenour of the agreement of which we have heard so much, because that is one of the points which must come before the Committee. I ventured yesterday to suggest to the House that if the mere question raised by the petition was whether, a compromise having been entered into by the hon. Member for Pontefract with Mr. Childers, the former had not fairly fulfilled his agreement, although that might be a matter affecting the character of the sitting Member as a gentleman, I doubted whether the House could entertain it as a question over which it had any jurisdiction. But that is not the whole question now raised. The Motion submitted by the hon. Member for Birmingham is that a Committee should be appointed to inquire into the circumstances under which the Pontefract election petition was withdrawn. Now, giving credit to the hon. Member for Pontefract for his explanation, I am bound to say that I was struck by one remarkable omission in his statement. He did not even hint at the question as to what the points were that were to be submitted to the referee under the agreement. Surely something was to be submitted to the referee. We have this remarkable statement in the petition — a statement which has not been contradicted or explained, and which, undoubtedly, deserves inquiry:—

> "Mr. Cariss then stated that he had been with Mr. Overend at Newcastle throughout the previous day (Sunday); that Mr. Overend had instructed him not to enter into any examination, or to draw up any statement whatever, and that Mr. Overend said he did not understand that the seat was involved in the reference; that Mr. Wilkinson thereupon expressed the greatest surprise, reminding Mr. Cariss of all that had passed at the inter views in London, and asked, if the seat was not the question, what was? That Mr. Cariss was long unwilling to answer, but at length said it was the sum Mr. Overend should pay Mr. Childers as consideration for giving up the petition, and, perhaps, that Mr. Overend should not stand at another election."

I do not apprehend it will be denied that, if there is an election petition pending, an arrangement entered into that the sitting Member shall pay a sum of money to the petitioner to withdraw his petition must be regarded as a corrupt compromise, which this House will visit with the punishment it deserves. The hon. and learned Member for Pontefract has said that he did not authorize any transaction with regard to money, but he told us at the same time, though it was hardly necessary to do so, that he had placed himself absolutely in the hands of his agents. It is due, therefore, to the House that an inquiry should be made into the circumstances mentioned in the petition, in order that we may see whether there are agents practising under the authority of this House who are guilty of such acts. The right hon. Gentleman the Member for Buckinghamshire has adverted to his vote the other night upon the Motion of the hon. and learned Member for Sheffield (Mr. Roebuck). I must say that I differ from the right hon. Gentleman in the opinion that the course then proposed was one calculated to check these corrupt compromises or corrupt practices at elections. I believe that when Gentlemen, feeling that their seats would be endangered if they had to go before an Election Committee, agree to apply for the Chiltern Hundreds with a view to retire from this House, the proper course to adopt, if you are honest in your endeavours to check corrupt compromises or corrupt practices at elections, would be not to impose upon the Chancellor of the Exchequer the obligation of refusing the Chiltern Hundreds in any such case, but to allow the Member to incur the penalty of the loss of his seat by his own voluntary act, and then, if there are circumstances sufficient to justify suspicion, to suspend the writ, institute an inquiry into the circumstances of the election, and, having ascertained all the facts, apply a remedy.

Question put, and *agreed to.*

Mr. BRIGHT said, he would then move that Mr. Walpole, Mr. Craufurd, Captain Jervis, Lord Robert Clinton, Mr. Selwyn, Mr. Phillips, and Mr. G. C. Glyn be appointed the Committee for the purpose of inquiring into the allegations in the petition.

Mr. WALPOLE said, before the question was put he wished to ask a question as to what mode of inquiry was proposed, and how it should be conducted? Did the hon. Member for Birmingham propose himself for conducting the case on one side, and another gentleman for the other side. The gentlemen concerned could not, of course, conduct their own case, and the hon. Member for Birmingham could scarcely expect the Committee to initiate the inquiry.

Sir GEORGE GREY said, he would suggest that the Committee should call the agents before them, and then decide upon the best course to be pursued.

Mr. BRIGHT said, the evidence in the case was in the hands of so few persons that no difficulty could arise as to how they should take it or go into it. He was not the accuser of the hon. and learned Gentleman the Member for Pontefract, and therefore he should not conduct the case against him.

Committee *appointed* :—

Mr. Walpole, Mr. Edward Craufurd, Captain Jervis, Lord Robert Clinton, Mr. Selwyn, Mr. Philipps, and Mr. Glyn:—Power to send for persons, papers, and records; Five to be the quorum:—

Leave given to the Committee to sit this day during the sitting of the House.

DISTURBANCES AT TRAVANCORE.

QUESTION.

Mr. KINNARD said, he would beg to ask the Secretary of State for India whether Her Majesty's Government has received any official information as to the gross outrages committed in the early part of the year in the Province of Travancore by the Natives of the Soodra caste upon the Shanars and others of like caste, and if any authentic intelligence has been received as to the discontinuance of such outrages, and if Her Majesty's Government has sent any instructions to the Governor of Madras or any other Indian authorities in relation to this case?

Sir CHARLES WOOD said, information had been received from the Governor of Madras, disclosing the grounds of this transaction, which took place some time ago. The Government had prepared a despatch upon the subject, but before it was sent off a second despatch had been received from the Governor of Madras stating that the whole matter had been settled to his satisfaction, and the Government had approved of that settlement. He might at the same time mention that it took place with the authority of the Governor of Travancore, and if the hon. Member would move for the Papers they should be laid upon the Table.

VICE-PRESIDENT OF THE BOARD OF TRADE.—QUESTION.

Mr. DISRAELI said, he wished to make an inquiry of the Government as to an alleged appointment which he had been informed by a high authority had been made. It was understood that the First Lord of the Treasury and Prime Minister had offered to an hon. Gentleman to promote him to the office of Vice-President of the Board of Trade, and it would be interesting to the House to know whether that office had been vacated, and when the new appointment took place.

Mr. MILNER GIBSON said, he was not aware that the office in question had been vacated, nor had he had any knowledge of the fact which the right hon. Gentleman had mentioned. He had heard it stated as a rumour that the present Vice-President of Trade was considering a proposal which had been made to him, but his information did not extend further.

SALE OF GAS BILL.—COMMITTEE.

Order for Committee read.

Mr. H. B. SHERIDAN said, he rose to move that Mr. Speaker do leave the chair, in order that the House might go into Committee on this Bill.

Mr. KINNAIRD said, he merely wished to observe that he had recently presented two petitions from Scotland against the provisions of this Bill.

House in Committee.

Clauses 1 and 2 *agreed to.*

Clause 3.

In reply to Mr. Ridley,

Mr. H. B. SHERIDAN said, that in order that the provisions of the Bill might be effectually carried out, it was thought expedient to give borough justices large powers.

Mr. MURRAY objected to the inspectors of gasmeters, who had to decide questions between both vendors and purchasers, being nominated by the purchasers only—namely, by the town council. He therefore would propose an Amendment, the effect of which would be to insert words giving the nomination of these officers to the recorders in those boroughs which had separate sessions.

Mr. H. B. SHERIDAN said, he thought that the appointment ought to be left to the town council in every case, who were always the proper and best guardians of their own funds.

Mr. DIGBY SEYMOUR said, he thought the Amendment ought to be allowed. He was not aware that in Sunderland, of which town he was recorder, or anywhere else, any objection had been made to the exercise of this power by the recorder.

Mr. TURNER objected strongly to placing this appointment in the hands of recorders, as the power might very possibly lead to jobbery.

Mr. DIGBY SEYMOUR suggested that recorders of places which were counties as well as boroughs were not at present excluded by the existing language of the Act.

Mr. SPOONER observed that, in his opinion, the Amendment was a very good one, and as to the suggestion of the hon. Member for Manchester, he imagined there was no foundation for it, as recorders, generally speaking, possessed no local interest. He thought there would be great ground for jobbery if the appointment were left to the town council.

MR. JOHN LOCKE said, he could not agree with the remarks of the hon. Member for North Warwickshire. He thought the recorder was the very worst person who could be selected to make these appointments; because he could know nothing whatever of the merits of the inspectors except through the town council. He did not see why inspectors of gas should be appointed by different authorities than those who had the appointment of inspectors of weights and measures.

MR. HUMBERSTON remarked, that considering the interests of the public, the Committee would do well to leave these appointments in the hands of the town councils.

MR. EDWIN JAMES observed, that to say that a town council could not be trusted to appoint an inspector when they had so many other appointments in their hands seemed ridiculous. Speaking for himself as a recorder, he should be glad to be relieved of the responsibility; but the truth was, as had been stated, that the recorders had only a very transitory acquaintance with boroughs, and these appointments would often become the mere nomination of a clique.

MR. MURRAY said, he thought it wrong upon principle that these appointments should be in the hands of a town council, when there was an officer of superior authority in the borough, who was perfectly independent.

MR. MALINS said, he represented a town which had a town council, but not a recorder. He must therefore vote against his hon. Friend if he persevered in his Amendment. But he went further, and thought that no worse authority could be selected for these appointments than the recorders, who had little or no local knowledge.

Amendment *negatived.*

MR. HENLEY said, that as the Committee had decided who were to be the appointers, he thought it was now right to decide who were to be the appointees. He would, therefore, move an Amendment which would have the effect of providing that a certain number of these inspectors should not be police constables.

Amendment *negatived.*

Clause *agreed to.*

Clause 4,

Mr. RIDLEY moved to omit certain words, which gave a compulsory character to the clause.

MR. H. B. SHERIDAN said, he must oppose the Amendment.

Amendment *negatived.*

Clause *agreed to.*

Clause 5,

MR. VINCENT SCULLY moved the omission of this and all the other clauses relating to Ireland which would have the effect of giving to grand juries in Ireland the power of taxing a whole county for the payment of inspectors for the benefit of a few boroughs only. This was inapplicable to counties in Ireland, where probably there were only one or two towns in a county which consumed gas. The appointment should be given to town councils or town commissioners.

MR. DEASY said, he wished to express his concurrence in this objection, so far as Ireland was concerned.

MR. P. O'BRIEN said, he would move that the Chairman report progress.

MR. H. B. SHERIDAN said, he should have no objection to withdraw the clauses relating to Ireland, but he begged to say that these clauses were strictly copied from the Weights and Measures Act.

MR. CRAUFURD suggested that, as there had not been time to communicate with constituencies in Scotland, the measure should be confined to England.

SIR JOHN SHELLEY hoped that his hon. Friend the Member for Dudley would not allow the success of this Bill to be imperilled, as be believed it would be of such great advantage to England. There was no reason why it should not be of equal advantage to the gas consumers in Ireland. He proposed, therefore, that the clauses relating to Scotland and Ireland should be omitted for the present, and that his hon. Friend should bring up a clause relating to Scotland and Ireland on the Report.

MR. O'BRIEN said, that on this understanding he begged to withdraw his Motion.

Motion by leave *withdrawn.*

Clause 5 and 6 *withdrawn.*

Clauses 7 to 19 inclusive were then *agreed to.*

Clause 20 (exempting Liverpool from the operation of the Bill).

SIR JOHN SHELLEY said, he would move the omission of the clause,

MR. H. B. SHERIDAN defended the charge, observing that the meters at Liverpool were perfect, and that the people of that town were entirely satisfied with them.

Clause *negatived.*

Remaining clauses, and the Preamble, were then *agreed to.*

House resumed.

Bill *reported*, with Amendments.

EUROPEAN TROOPS (INDIA) BILL.

CONSIDERATION.

Order for Consideration read.

SIR CHARLES WOOD said, that when the Bill was last before the House an arrangement had been entered into by which the Bill had been allowed to pass through its second reading without discussion, on condition that he should at the present stage give some explanation of its object and provisions. He would therefore at once proceed to redeem the pledge he gave on that occasion, and state the reasons why it was necessary at so late a period of the Session to pass the measure. Almost from the earliest period of the existence of the East India Company, they had power to maintain a certain number of European troops in India. Previous to 1799, the portion of those troops who were undergoing training in England or were on their passage, were not under military discipline. In 1799 an Act passed which removed that anomaly, and brought them under military law, but the number was limited to 2,000. In 1853, when he was President of the Board of Control, an application was made to him by the Marquess of Dalhousie, then Governor General, to increase the number of Company's troops beyond the then existing limit—12,000. The first step he took in consequence of that application was to consult Lord Hardinge, who had been Governor General of India, and who was then Commander-in-Chief of the British Army, and who united in his person the best means of forming a sound opinion, and by Lord Hardinge's advice, he assented to the proposal to increase the number of Company's troops by three regiments. In order to do so, it was necessary to increase the limit imposed by the Act of Parliament, and in the 31st clause of the Act of 1853 the limit of the number to be maintained out of the Indian revenues was increased to 20,000, and the number training in England or on passage to India to 4,000. There was a doubt whether the gross amount of troops chargeable on the Indian revenues was 20,000 or 24,000. Up to the period of the mutiny there was no question as to the legal effect of the clause, because the number did not approach to 20,000, and therefore it was immaterial whether the correct interpretation was a gross limit of 20,000 or 24,000. When the mutiny broke out it became desirable to increase the number of European troops, and, proceeding on the supposition that 24,000 was the legal limit, without giving sufficient attention to the point, the number was increased beyond 20,000, and at one time approached, if it did not exceed 24,000. It was obviously desirable that the doubt should no longer exist, and the present Bill had been introduced with that object. The late Government went so far as to sanction the establishment in India of 25,500, exclusive of troops in training or on their passage to India, and that showed that sufficient attention had not been paid to the legal limit, because a much larger number was sanctioned than could be maintained either under the interpretation that the limit was 20,000 or 24,000. He did not find, however, that the number sanctioned had been actually reached, as according to the latest returns, the number borne on the rolls in India was 20,110, and the number in England was about 2,000. As soon as these facts were brought to his notice it seemed to him an indispensable duty to bring in a Bill to legalize what had been done, and to cover anything which might be illegal. According to the interpretation of 24,000 being the legal limit, there had been nothing illegal, as the total number of troops was only about 22,000, but the question ought to be beyond doubt or suspicion, and therefore this Bill had been introduced. The House would remember that the Bill would not render it necessary to keep up the number to the limit, it only required that that number should not be exceeded. The Bill would in no degree prejudice any question which might be raised about the Indian army. If the Government wished to increase the number they must come to Parliament again, and this measure would have nothing to do with the organization of the Indian army. Having said this much with respect to the object of the Bill he would take the opportunity, in accordance with the understanding with the House, of offering some few remarks on the general question of the nature of the force henceforward to be kept on foot in India. Hon. Gentlemen were aware that a Commission had sat upon the organization of troops maintained in India. The first and most important question which that Commission had to consider was, whether the European force to be maintained in India should be exclusively regiments of the line, or a mixed force composed partly of regiments of the line and partly of local troops—in other words whether they should be troops for general service, or troops partly for general and partly for local service. A majority of the Commission reported in favour of troops exclusively for general service; but a very large minority entertained a different view. It was evident, however, from the opinions given and from the evidence, that the decision of the Commission could not be considered as very impartial, because officers of the Queen's troops were in favour of a force exclusively for general service, and Indian officers were in favour of the maintenance of a local force. It was very natural such should be the case, but it diminished the value of the opinion pronounced, as both parties might quite naturally and imperceptibly be strongly biased in favour of the service to which they belonged. Whatever was the opinion of the Commissioners, he thought that the weight of authority was in favour of the maintenance of a local force. He had already stated what was the opinion of Viscount Hardinge as to the increase of the local force, and no one could be so well qualified to offer an opinion upon the subject. The same opinion was entertained by men like Sir J. Lawrence, who were intimately acquainted with India and the Indian service. With reference to an observation made by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) that there would be great economy in employing troops of the line, he was inclined to think that, whatever other advantages there might be, it would entail a heavier expense if the force in India was composed entirely of troops of the line. Another reason which weighed with him (Sir Charles Wood) in favour of a local force was the advantage of thus providing a number of educated and able men who, looking forward to passing their lives in India and earning there a position which their energies could command, would study the habits and language of the Natives and fit themselves for the discharge of those duties, other than military, which were indispensable for the good government of India. There were many instances in which men so qualified not only took an important part in active service in the field, but in the government of the outlying provinces of that empire. Influenced by these and other considerations, the late Government came to the conclusion that a local army should be maintained. Her Majesty's present Government, soon after they came into office, came to the same decision. Recent occurrences in India, might produce some effect upon men's minds in relation to the question of maintaining a local force. It seemed to him that those occurrences were of an exceptional nature, and, serious as they were, they hardly ought to alter the decision which had been arrived at upon other grounds. He did not think that the local army had any substantial grievance, or that the precedent of the St. Helena regiment was at all in their favour. It was enlisted for local service in St. Helena; in 1830, it was transferred to the Crown and served under the Crown for upwards of a year. It was determined not to keep up a local force at that island, and therefore if they had remained as a Queen's regiment there would have been a complete change in the terms of their service. Instead of serving only in St. Helena, the men might have been sent to serve in the West Indies, and therefore it was perfectly just in that case to offer the men their discharge, with the option of volunteering into Queen's regiments. The case was a precedent against the local force in India rather than one in their favour. The oath taken by the men who enlisted into the Company's service was the same as that taken by every man who enlisted in the Queen's service, with the addition of a reference to their serving the East India Company. When the rule of the Company was terminated so much of the oath was void, but it did not affect the former part of the oath, which bound every man who enlisted to obey the Queen's officers. He, therefore, retained the opinion which he had stated, that he did not think the men had any substantial grievance. At the same time he must admit that there was a great deal to be said, not in excuse of their insubordinate conduct, but in justification of the view which they took. Many officers of high rank took the same view, and as they had a very strong interest in taking that view, he was inclined to think that it was not fair or right to treat the men as mutineers. The question was referred to the Government of India, and by them to the Government at home. Both stated their opinion that the claim of the men as a matter of right was inadmissible. The home Government, however, gave Earl Canning power to act as he thought best under the circumstances which existed at the time he received the despatch. Thus matters stood when he succeeded to the office which he had now the honour to hold, and he thought the only course was to confirm the discretionary power which had been vested in Lord Canning by his predecessor; and he informed Earl Canning that whatever he might think fit to do would receive every support in their power. By the last accounts the Government had received an announcement of the measures which had been taken, and he must say he thought they were the best which could be taken under the circumstances. Earl Canning had said that he could not admit the claim for bounty or discharge, but, considering that the men thought they had not entered into obligations to serve the Crown, and that with very few exceptions their conduct had not been of a violent description, he was prepared, with the entire concurrence of the Commander-in-Chief, to allow each man who wished his discharge to take it and return to England in the same way as if he had been discharged under ordinary circumstances. There was one further remark which he wished to make. It seemed that almost the whole of the persons who had made complaint were recruits recently sent out to India. He thought it was a great mistake to send a great number of raw recruits to be drilled and trained in India. It was not the best mode for making them think the military service the most agreeable in the world. He believed it would be found that a large proportion of those who took their discharge could hardly be called soldiers. They were men not yet trained. A great number was raised in the manufacturing towns. A great number, too, was raised in London, and it might fairly be considered more as a strike than a mutiny. Not a word could be said in palliation of soldiers who acted as they had done; but it was not fair to consider these men as mutineers in the strict sense of the term. He did not think the circumstances such as to justify departing from the decision of the late and the present Government, to maintain a local force in India. But as to the question how it was to be organized, and of what proportions of the different arms it was to be composed, he wished to reserve complete discretion to the Government, as those points must depend, to a considerable extent, upon information which had not yet been received. He wished to make only one further observation. The hon. Member for Evesham (Sir H. Willoughby) had the other day called attention to the large number of officers of the Indian army who were entitled to the most considerate attention from the House and from the country. By far the greater part would probably be employed in the European or Native forces, or in political, civil, and engineering services. He hoped the whole number would be absorbed; but if not, their claims must, in some way or another, be fully and fairly considered. He was quite sure it would be as unjust to them as it would be discreditable to the Government if such men, who had behaved so nobly, were treated with the slightest disregard or without the fullest consideration. In conclusion, he would repeat that this Bill would not prejudice the many questions connected with the subject of our Indian forces, which must be left open for the full consideration of the Government and Parliament at a future period.

GENERAL PEEL said, he fully agreed with the right hon. Baronet on one point—that the day when the Government commemorated the close of the Session was not a proper time to enter into a discussion of the great question—the organization of the Indian army, and he therefore objected to this very important branch of that question being brought forward at such a period. He must also complain of the way in which the Bill had been hurried on. It was introduced on Saturday morning last, was read a second time at the morning sitting of the same day, without any explanation, passed through Committee yesterday morning, and was now brought forward for a third reading. A Bill of such importance ought not to be dealt with in that manner, and he did not think there were sufficient grounds for it. The Royal Commission, by a majority, had recommended that no local army should be maintained at all, and if with the view of leaving undisturbed existing interests a local European force should be maintained, it ought to be kept within the present limit. In the face of that recommendation it was proposed, however, by this Bill to increase the number beyond the present limit. He could not speak in the same light terms as the right hon. Baronet of the mutiny which had occurred in the local forces. He did not say the men had no grievance, but there was a proper manner in which they could have made their grievances known. A serious feature of that mutiny was the correspondence which went on from one regiment to another, and from one local army to another, without a single soldier or non-commissioned officer coming forward to acquaint their officers with what was going forward. An army in which such a low state of discipline as that existed was not to be trusted. He wished to ask the right hon. Baronet whether the Government had received any communications from Lord Clyde and General Mansfield upon the subject. General Mansfield, he believed, had been in favour of a local army. Lord Clyde had not formed any very strong opinion either way; but since the mutiny of the local forces he was led to believe that both those gallant officers had come to the conclusion that a local European army could not safely exist in India. He wished to know whether the Government had received such communications from them, and whether they would be prepared to lay them on the table of the House. He wished to know, if the number of local troops was to be increased, in what manner it would be done. The sanction which the late Government gave to the number being exceeded had remedied itself, because 8,000 men had claimed their discharge and were now on their way home, probably to take a new bounty and to be sent back to India. There was only a certain number of men to be raised by voluntary enlistment, and that number did not exceed what we required for our own service. At the present moment there were some thousands wanting to make up the number voted, and one-third of the militia only existed on paper. Under these circumstances, were the Government about to allow the enlistment of men in the recruiting market of England who would not be available for general service? If it were absolutely necessary that a local army should be raised for India, they might do it in another way. They had already a German regiment in the Indian service. No doubt they would make better soldiers than they made colonists. He did not see why the Government could not have recourse to the same area of recruiting. They could not do so in recruiting for the regular army, because only 3 per cent of foreigners was allowed in a regiment of the line. During the latter portion of the time he was in office he had recourse as far as he could to that class, and enlisted some capital recuits who were foreigners. The restriction to 3 per cent did not apply to the Indian army, and he did not see why, if it were necessary to increase the local force, they should not enlist foreigners to a greater extent than at present. He was glad that the Secretary for War was present, because he wished to correct a mistake into which that right hon. Gentleman had fallen. The right hon. Gentleman stated the other night that it was not fair to include the depôts of Indian regiments in the strength of the national forces, because they could not be made use of in case of emergency without their volunteering. That was an entire mistake, as the depôts could be called upon to do garrison or any other duty, the same as other soldiers. He wished to know from the right hon. Gentleman upon what terms the officers would be admitted into the local army, if it were increased, as it was the unanimous opinion of the Commissioners that it would be a great advantage if the two armies were placed on the same footing and exchange allowed from one to the other. The great difficulty, however, which stood in the way arose from the different funds in which the Indian Army was interested. He did not entirely agree with the majority of the Commission with regard to the local army. He thought it would be the greatest possible advantage to have but one army, and that the Queen's army under the same command and the same discipline; but he did not think it possible at once to do away with the local army, in which so many officers were entitled to certain rights and privileges. At the same time he objected most strongly to any increase in the local army. If there were any chance of getting the number, there might be some reason for passing this Bill; but, taking the number of recruits enlisted weekly for Indian service, it was obvious that they would not reach the number who were about to accept their discharge, and therefore the question could not arise until next Session. The right hon. Baronet had adopted a purely Indian view of the question. Every officer of the Indian army took one view, and every officer of the English army took the other, so that when he knew to which service the officer belonged he could tell beforehand what evidence he would give the Commission. He believed that the pressure upon the right hon. Baronet had come from the Council. It was nothing more nor less than a question of patronage. It was a proposal to increase the Indian army that the Council might get the patronage. It was his firm conviction that they could better do without the Council than leave them any patronage.

They might give the Council any salaries they pleased in order to get the best men, but India never would thrive if it were considered as the property of individuals instead of part and parcel of the British dominions. He appealed to the right hon. Baronet whether upon his own view it was necessary to press this Bill at the present period of the Session, when it was impossible that the subject could receive a free and a full discussion.

Sir DE LACY EVANS said, he entirely concurred with the right hon. and gallant Officer that depôts and recruits were completely available for the service of Her Majesty in England as well as in India. He believed they were as amenable for any duty that may be assigned to them as were the Grenadier Guards. He should be very sorry if it were otherwise. But he entirely disagreed with the right hon. and gallant Member as to a German army. It was to be regretted that German legionaries were sent to India and were there now. He did not believe that they had fired a shot, but according to reports from Southern Africa he was afraid that, unless they were looked very sharply after, ill consequences would occur between them and the Natives. Circumstances in former times had obliged the English Government to take considerable bodies of foreign troops into their pay. Nothing, however, but the necessity and emergency of a great war could render such a measure expedient. The right hon. and gallant Gentleman seemed deeply impressed with the guilt of the local troops in India, speaking of their conduct as a great and serious mutiny, which had changed the opinion of Lord Clyde and General Mansfield as to local troops being maintained. There was no extenuation admitted for their insubordination. But for his own part, he would not call it a mutiny. Eighteen months ago, in February 1858, the Prime Minister of England stated that the army in India would consist of the Queen's troops and a local corps whose service would be confined to that country. With regard to the Queen's troops no change, the Prime Minister stated, would be necessary; but the troops of the Company would be transferred to the Crown, and those soldiers who disliked the change would, he thought, in common justice, be entitled to their discharge. This declaration of the Prime Minister was widely circulated in India, and passed from one regiment to another, in which there were many men both intelligent and well educated. How could it be accounted for that after this declaration the Government of India had so bungled the matter? Why was it referred to a military lawyer? When the men had been told by the highest authority what they had a right to, was it in equity or fairness to be treated as a mutiny? With regard to the present Bill, he approved its object; he thought a local army indispensable in India. The gallant General (General Peel) had stated that the Bill was entirely opposed to the recommendations of the Commission. It was very injudicious to place His Royal Highness the Commander-in-Chief on that Commission, as his influence might have operated to bias the opinions of the subordinate members. As President of the Board, the Commander-in-Chief must have been placed in an invidious position. What rendered the statements of the gallant officer the more remarkable was, that they were directly in contradiction to those of the Government of which the gallant Gentleman had been a Member. When it was said that all the regiments serving in India should belong to one army, it should be remembered that there were many special points to be considered, which rendered a distinction between the two armies highly desirable. He believed both the officers and men of the Indian army had fully deserved the confidence of the country. Who was it that retrieved the disasters into which they had fallen at Cabul. Why Pollock and Nott, two of the Company's officers. The turning point of the late mutiny was the capture of Delhi; that also was performed by an officer of the local force. He should at present only observe, that on various grounds, he should be prepared to support the Bill.

Mr. SIDNEY HERBERT said, that the hon. and gallant Member (General Peel) had misunderstood what he had stated in reference to the Indian depôts; he said that the best way to make use of these men in the event of their service being required would be to distribute them amongst the other battalions, which could not be done unless they volunteered from their own regiments. No doubt they could be used as depôt battalions at any moment or any service that the Crown might choose. The hon. and gallant General had addressed the House in two characters, as one of the majority of the Commission which reported against a local force, and as a Member of the Government which decided on maintaining it. The Bill would not make any alteration in the existing state of things; it would not add a single battalion to the force, and there was no intention on the part of the Government to depart in any way from the conclusion at which the late Government was understood to have arrived.

COLONEL NORTH said, that in his opinion the European regiments of the Indian army had committed a gross act of insubordination; but it did not amount to a military mutiny, except in the case of the regiment that had intrenched itself in its quarters, and elected its own officers. In the other regiments no bad feeling on the part of the men towards the officers had been exhibited. Never was a thing so grossly mismanaged by the Indian Government as this had been from the beginning. If such a feeling had arisen in any regiment of the Crown, the circumstances would have been fully explained to the men. In this case the soldiers were told that the Attorney General had decided against them; had they been told the Adjutant General had decided against them they would have been quite satisfied. He agreed with the right hon. and gallant General (General Peel) in thinking that the worst feature in the case was the fact that all this correspondence had taken place between the various regiments without its coming to the knowledge of the officers. In another point, the Indian Government had been unjust to part of the Native army. The customary donation batta was withheld from the army that went through the Persian war. A greater mistake could not have been made. The Native troops were embarked at Bombay for the sea voyage without making any objection, though it was repugnant to their religious prejudices, and on previous occasions the Bengal troops had refused to embark. They brought the war to an end in six months. On returning home they found the other Native regiments of the Bengal Presidency in open mutiny, and murdering their officers. Two of the Queen's regiments that made the campaign in Persia afterwards formed the column that relieved the garrison of Lucknow; the native troops of the Persian army under Sir H. Rose, gained the victories of his campaign in Central India. Was this an army that should have been made an exception to the usual custom, by refusing it the batta? These troops voluntarily gave up the treasure and arms taken during the operations in Persia, in the full belief that the allowance would be granted to them. It was a great mistake, and he gave notice that, early in the next Session, he should bring the subject before the House. As to the European regiments of the Indian army, he did not believe a mutinous feeling existed among them; the men thought they had a grievance, and he hoped it would be properly remedied. But even if matters were set right, the country would have lost a large number of good soldiers.

COLONEL DUNNE said, it was to be regretted that a Bill relating to such an important subject as the organization of the Indian army should have been brought in at the very end of the Session. Earl Canning had the right of deciding what should be done with the European regiments, and he appeared to have gone wrong at first, and then to have stuck to his first decision. When he was told that the law officers of the Crown had given an opinion on the case he should like to see what case was submitted to them. The attestation of men enlisting for the Indian army was such that the soldiers might well believe that they were in the right. He quite agreed with the determination of the late and present Governments to maintain a local European force in India; the question was as to the amount of it. The objection to raising that force above a certain amount was, that it interfered with the recruiting for the Queen's army in this country. The Government had not dealt fairly with the soldiers in reference to their pensions, a subject he should bring before the House next Session.

MR. AYRTON said, that in vindication of what he had said on a former occasion as to the needlessly large proportion of European officers in the Native Indian regiments, he wished to state that the opinion he had expressed was that of officers of great Indian experience, as was shown by many passages in reports by Sir H. Frere, Colonel Green, and General Jacobs, who had all testified to the necessity of changing the system, and of causing the cadets first to join European regiments, and having learned their duty in them, and passed their examination, then being appointed to Native regiments. He thought the gallant officer (Colonel Sykes) owed him an apology for the remarks he had made in reference to him, though the gallant officer's authority did not appear to be so great as it used to be, since his former colleagues did not require his services.

Sir **FREDERIC SMITH** said, he would give his hearty support to the Bill. He had read the evidence before the Commission with great attention, and it had convinced him that the maintenance of a local European force in India was a necessity; the great question was as to its numbers. By law it was limited to 20,000 men, or with the number in the depôts of this country, 24,000 men. The object of the right hon. Gentleman was to increase that number to 30,000. There were at present 23,800 Europeans in the Indian service, and 92,000 of the Queen's troops. He did not think there was much force in the objection of the gallant officer (General Peel); they had the men in one force or the other. As to what was called the mutiny or insubordination of the European regiments, he took the view of the Secretary for India. He could not call that a mutiny where the men had such a strong case. As to the remarks of the hon. Member for the Tower Hamlets (Mr. Ayrton) on the training of the officers of the Indian army, he believed they were trained as well and their attainments stood as high as the officers of any service in the world.

Colonel **SYKES** said, that in reference to the opinions quoted by the Member for the Tower Hamlets, he might observe that Sir H. Frere was a civilian; Colonel Green's remarks he thought an error of judgment, and the statements of General Jacobs only applied to local and irregular troops. A Native regiment that in cantonments was so tractable that it gave no more trouble than a child, became useless in battle the moment it lost its European officers. The more European officers there were to a Native regiment, the more certain they could be of its services. A Native regiment of 1,000 men might be managed by four European officers when in cantonments, but not on the line of march or in battle array. As to the Bill before the House, he entirely concurred in the necessity of it. India could not be governed without a local army acquainted with Indian habits and associations, and accustomed to regard India as its home. Without such an army the Indian Government would be placed in the utmost possible danger. The opinion of the Commission that had been alluded to was only the opinion of the majority of officers upon it who had no Indian experience, against the minority who had had great experience in India. As to the mutiny of the European troops, he believed the men were technically wrong, but morally in the right. The men attested for the service of the East India Company could not be transferred to the service of the Crown without a renewal of their engagement. When recruits were taken before the magistrate the oath of allegiance to the Crown was administered; but in the copy of the attestation given to them, the oath of allegiance was omitted. Every man now in India had this copy of his attestation to the service of the Company only, without any reference to the oath he had taken to the Crown.

Sir **HENRY WILLOUGHBY** said, he thought the Indian Government was not exclusively responsible for the Indian mutiny. The House of Commons was in some degree to blame. When the settlement of the Indian Government was under discussion, it omitted to make the transfer of the service of the Indian army quite clear, in the section of the Act relating to the military force. A small donation on their being transferred to the service of the Crown would probably have prevented the difficulty that had arisen as to the Company's forces. He agreed with what had fallen from the hon. and gallant Member for Westminster on the question of a local force and the troops of the line. The House should bear in mind that these troops were paid for out of the Indian revenue over which they had no control. It had always been a constitutional principle that the army of this country should be paid by money voted by the House, and he thought that the army for India ought to be a local force, maintained out of the revenues of that country.

General **UPTON** remarked, that when he was in India he always found that the Company's officers regretted most strongly that the army was not one body instead of being two distinct forces. In his opinion, fifteen years was quite long enough for European regiments to remain in India.

Mr. **VANSITTART** said, he was convinced that the existence of a local European force would be the sole means of preventing India being denuded of European troops. He wished, however, that some arrangement could be made for the appointment of the officers of this local army by the Horse Guards instead of the East India Company. He felt sure it would be for the benefit of India if they had only one class of officers in place of two.

Order for Third Reading read.
Bill read 3°, and *passed.*

CHARITABLE TRUSTS ACTS CONTINUANCE BILL.—COMMITTEE.

Order for Committee read.

MR. NEWDEGATE said, he rose to ask at what time during the sitting the Bill would be taken the next day, for they had been waiting for it for two days, but it was so low down in the Orders that it was impossible to judge when it would come on. He wished, therefore, to obtain an accurate idea of the time when the Bill would be proceeded with.

MR. MASSEY replied, that the Bill would stand the first on the paper for next day.

MR. NEWDEGATE said, he wished to be informed at what time the House would meet.

MR. SPEAKER: The House will meet at two o'clock to-morrow.

Committee *deferred* till To-morrow.

WAKEFIELD ELECTION.

COMMISSION MOVED FOR.

MR. HODGSON said, that in the absence of the Chairman of the Select Committee which had lately reported on the Wakefield Election, he rose to move an Address for a Commission to inquire into the corrupt practices at the late election for the borough of Wakefield. The Committee met on the 27th of July, and after one day's examination of witnesses agreed to the following Resolutions:—

> "That William Henry Leatham was by his agents guilty of bribery at the last election for the borough of Wakefield.
>
> "That William Henry Leatham is not duly elected a burgess to serve in the present Parliament for the borough of Wakefield.
>
> "That the last election for the said borough is a void election.
>
> "That it was proved to the Committee that Thomas Beaumont has been bribed by the payment of £10; that John Jackson has been bribed by the payment of £30; that John Cousins has been bribed by the payment of £25; and that George Senior has been bribed by the payment of £30.
>
> "That it was not proved that such bribery was committed with the consent of the sitting Member.
>
> "That there is reason to believe that corrupt practices have extensively prevailed at the last election for the borough of Wakefield."

The only point in the report of the Select Committee which seemed worthy of remark was the fact, that while only four cases of bribery appeared to have been distinctly proved, the Committee felt it their duty to report that they had reason to believe that corrupt practices had extensively prevailed. In explanation of that he might state, that after one day's evidence the sitting Member retired from the contest, but the petitioners declared that they never intended to impute bribery personally to him. Under these circumstances the Committee felt it their duty to report that in their opinion bribery had extensively prevailed at the late election. They did not call for all the evidence they might have called for on that point, but the evidence laid before them was quite sufficient to induce them to believe, he might say, unanimously, that extensive bribery had prevailed on both sides. These circumstances—first, the retirement of the sitting Member after one day's examination of witnesses; secondly, the appearance of strangers in the borough who had not been found since, although every means had been taken to ascertain their whereabouts; thirdly, the large amount that was paid to those voters who had been proved to have been bribed; fourthly, the general concurrence of all the witnesses that there never was an election at which so much money was spent as at this last election, induced the Committee unanimously to come to the conclusion that there never was a case in which a Commission of inquiry was more necessary than in the present. It was, therefore, his duty to move, that an humble Address be presented to Her Majesty, praying that a Commission might be appointed to inquire into the corrupt practices which prevailed at the late election for the borough of Wakefield, and that Mr. Serjeant Pigott, Mr. Henry Willes, and Mr. W. Slade, be the Commissioners.

COLONEL SMYTH said, it was not his duty to defend the conduct of the constituency of Wakefield at the late election, but he would appeal to the House whether there were sufficient grounds for the inquiry for which the hon. Gentleman had moved. This, he believed, was the first instance in which any charge of any description had been made with regard to the borough of Wakefield. He happened to reside in the neighbourhood, and he knew that hitherto the elections had been conducted with great purity, and he believed he was justified in saying that there was a unanimous desire on the part of both the political sections in the town and on the part of men of all classes that another election should immediately take place. His reason for saying this was that at the present moment there was considerable political excitement in the town, occasioned not so much by the late election as by the party feeling that had sprung up since the Select Committee inquired into the late election. It would be a great misfortune to the town if that state of feeling were allowed to exist throughout the recess. If any advantage could be obtained by the Commission which the hon. Member had moved for, he would at once assent to his Motion; but there was no instance on record of such Commissions having been of any service at all. In this case some more instances of bribery might probably be ascertained by a Commission, but their ascertainment would create a great deal of bad feeling and acrimony in the town. He would admit the justice of the Select Committee's decision, but he hoped that no such step would be taken against the borough as the hon. Member had suggested, inasmuch as it was not the case of a borough lying under the charge of electoral corruption on former occasions.

Mr. **EDWIN JAMES** said, the evidence taken before a Select Committee was no test of the extent to which bribery had prevailed at an election, and the circumstances detailed by the hon. Member showed the necessity of an inquiry by a Commission in this case. If a Commission were not appointed, the country would expect that at least the Committee would continue the inquiry they had begun. But that mode of inquiry would impose too great a burden on hon. Members, and considerable expense would be incurred in bringing witnesses up to London. He therefore cordially supported the Motion for a Commission.

Mr. **BRADY** said, that he opposed the Motion not on the grounds stated by the hon. and gallant Colonel, but on the ground that Commissions were always jobs. He never knew an instance in which a Commission such as had been moved for was appointed that some lawyers were not enabled to make a grand job of it. For instance, a short time ago there was a Commission to inquire into certain acts of bribery which were alleged to have been committed in Galway, and what had been the result? The Commission reported, but no further step was taken. A writ was moved for Galway, and Galway, he supposed, had been entirely cleared of bribery. Why should not those who had been proved to have bribed voters at the late election at Wakefield, as well as those voters themselves, be prosecuted, as had been recommended in the case of the Beverley election? Wakefield, said the hon. and gallant Colonel, hitherto had been perfectly pure. Wakefield, no doubt, was pure till it was found out, but now that it had been found out he hoped that the bribers and the bribed would be prosecuted. He protested against putting the country to the expense of a Commission.

Mr. **CAIRD** said, one of the objections of the hon. Gentleman who had just sat down was that nothing followed from the appointment of a Commission in the case of Galway. But although nothing was done in that case, the facts elicited by that Commission would probably have great effect in the discussion of the forthcoming Reform Bill next Session. In this case of Wakefield the fact that sums of £40 and £50 had been paid to voters, who, however, in every case voted against the man from whom they took the money, showed clearly that there must have been very strong reasons indeed to have influenced them thus to vote. He had sat upon the Committee, and although their inquiry had been a short one it was their unanimous opinion that there was the strongest ground for issuing a Commission.

Motion *agreed to.*

Resolved, That an humble Address be presented to Her Majesty, as followeth:

"Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Wakefield, have reported to the House, that there is reason to believe that corrupt practices have extensively prevailed at the last Election for the said Borough of Wakefield:

"We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled "An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament," by the appointment of Mr. Serjeant Pigott, William Henry Willes, esquire, and Wyndham Slade, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices:"

Ordered, That the said Address be communicated to the Lords at a Conference, and their concurrence desired thereto:

Ordered, That a Conference be desired with the Lords upon the subject matter of an Address to be presented to Her Majesty, under the provisions of the Act of the 15th and 16th of Her present Maesty, c. 57; and that the Clerk do go to the Lords, and desire the said Conference.

PACKET AND TELEGRAPHIC CONTRACTS.

COMMITTEE.—REPORT.

Mr. COBDEN brought up the Report of the Committee on packet and telegraphic contracts, and moved that it be printed with the evidence.

Mr. RIDLEY said, this was a Report of very considerable interest, and he thought that, instead of the Motion that it be printed with the evidence, it would be advisable to print it separately, so that it might very shortly be in the hands of hon. Members. If the two were printed together, they would have to wait a month or six weeks before they could look over the Report.

Sir HENRY WILLOUGHBY said, the Report was founded on the evidence, and would be of little use without it.

Mr. DEEDES said, it would be departing from the usual custom to print the Report and the evidence separately.

Mr. SPEAKER said, the usual course was that the Chairman of the Committee who brought up the Report moved that it and the evidence be printed, and they were consequently printed together. But if any alteration of that course were made it could only be by the desire of the House or of the Chairman who brought up the Report.

Motion *agreed to.*

House adjourned at ten minutes before Six o'clock.

* * *

HOUSE OF LORDS,

Thursday, August 11, 1859.

Minutes.] Public Bills. — 2ª Inclosure Bill; European Troops (India).
3ª Reserve Force; Poor Law Boards (Payment of Debts); Militia Laws Amendment.

EAST INDIA LOAN BILL.

COMMITTEE.

Order of the Day for the House to be put into a Committee on the East India Loan Bill, read.

The Duke of ARGYLL, in moving that the House do go into Committee upon the Bill said, that the financial condition of India had been considered at considerable length shortly before the dissolution of the late Parliament, and an intimation was then given by the late Government that it would be necessary before long to introduce a measure of the present description. So far the necessity of the Bill might be considered to have been acknowledged by all parties, and he might now move it through all its stages without entering into any statement in its support. But he thought it desirable that he should call their Lordships' attention to some facts connected with the financial condition of our Indian Empire. The deficits in the two years during which the mutiny had been raging was respectively £8,500,000, and £14,700,000. That, however, was to be expected, and the only observation he would make upon those figures was that the back of the mutiny had been broken before the great mass of troops sent from this country had arrived in India, and it was only since that period all the expenses attendant upon those forces had become chargeable upon the Indian revenues. It was only when they came to consider the deficit of the present year that surprise was excited. The total sum to be provided for the year 1859-60 was no less than £12,500,000. It was natural to ask why, now that the mutiny had been suppressed, there had not been a greater saving as compared with the previous year —than appeared upon the face of the papers—about £2,500,000. But, although £12,500,000 was the sum that would have to be provided by loan or otherwise, yet that was not the actual deficit of the year, since about £2,250,000 arose from charges for compensation for losses during the mutiny, and the necessity of restoring the balances to their former condition. The real difference between the income and expenditure strictly belonging to the year was about £9,300,000. But even those figures did not represent the whole saving that had been effected by the Indian Government; for the expenditure for 1859-60 included large sums paid on account of the railways, and the interest of the debt which had been incurred during the previous two years. If those extraordinary charges were deducted, the amount of saving effected in the military expenditure for 1859-60 would be found to be nearly £4,500,000. Some persons might be dissatisfied with the extent of the saving thus effected; but, the Governor General had lately found himself unable to send home as many troops as he had hoped to do; and it must also be borne in mind that the expense of bringing home troops was as great as that of sending them out. It had been stated that our Indian Empire was in a state of chronic deficiency, and that it seemed to be approaching a condition of complete bankruptcy. But that was really far from being a correct view of the subject. The truth was that when the mutiny began, the income and the expenditure of India were almost exactly equal, there having been for the preceding year only a small adverse balance to the amount of £170,000. A sum, however, larger than that adverse balance was owing to the charge incurred in the Persian war, and without that charge there would have been an absolute surplus in the year 1856-57. Moreover, during the whole of the four years which preceded the mutiny the deficit had been steadily decreasing, and even a large proportion of the deficiency then existing was attributable to the large outlay incurred in public works. They might, therefore, say that at the commencement of the mutiny the financial condition of our Indian empire was by no means of an unsatisfactory description. Let him say one word with respect to the means which had been adopted for the purpose of meeting the deficiency which had arisen in the course of the present year. In the years 1857-58 and 1858-59, the deficits had been made good by means of loans effected partly in England and partly in India; and the sum raised by way of loan in this country exceeded by an amount of only £1,000,000 the sum raised in the same shape in India; the figures in the two cases being respectively £11,500,000 and £10,500,000 in those two years. But the power of raising money by loan in India had greatly diminished in the course of the present year. That result had been attributed to the financial measures adopted by the Indian Government; but he believed that facts were directly opposed to such a conclusion. The loan in India had been going on very satisfactorily until the end of last November or the beginning of last December, when the weekly subscriptions suddenly decreased by almost one-half. But that falling off had not been contemporaneous with any action whatever on the part of the Indian Government. In the first week in November that Government had indeed issued the Proclamation by which the Queen took into her own hands the direct government of India; but no person could attribute the diminution in the loan to that event. It could not be supposed that the Proclamation of the Queen's supremacy would tend to diminish the value of Indian securities. No financial step was taken by the Indian Government until the 26th of January last' and their financial policy could not have been the cause of a condition of the Indian money market which had previously been in existence. But as a sum of £10,500,000 had been raised by way of loan in India during the two preceding years, it was clear that the capitalists of that country must have felt, in the midst of the mutiny, the most perfect confidence in the continuance of our dominion. That view of the matter was clearly set forth in a passage contained in a despatch which had been recently received from Lord Canning, and that passage he would proceed to read to the House:—

> "We are aware that it has been said broadly that our loan operations of late in this country have failed of success; but it is shown by the figures to which we have just referred that, speaking of those operations as compared with the operations of former years, this cannot be said with truth, and that it is not true absolutely, may, we venture to think, be assumed from the fact that in each of the two last years, during a crisis of unparalleled difficulty, we have obtained from Indian resources alone the means of meeting not only the extraordinary charges of the State, but also the immense disbursements of all the railway companies in this country."

He (the Duke of Argyll) believed that to be perfectly true. Under the Bill then under their Lordships' consideration the Government would be invested with a power of raising in this country the money required in India; and he believed that when Indian capitalists saw how easily the money could be borrowed in the English market they would again be induced to come forward with their former readiness to contribute to loans of that description. It was very satisfactory to find that there had been no falling off in the revenue. It was a thing which at one time could hardly have been thought possible, but it was nevertheless a fact, that the revenue raised in India during the mutiny was as large as that raised in the year which had preceded that outbreak. [The Earl of ELLENBOROUGH indicated dissent.] The noble Earl shook his head, but the figures showed the accuracy of his (the Duke of Argyll's) statement. The Indian revenue in the year 1856-57 was £31,700,000; and the revenue during the first year of the mutiny was almost exactly of the same amount. In the second year of the mutiny it was larger by a sum of nearly £2,000,000, and the estimated revenue of the present year, including the produce of new taxes, was larger by a sum of somewhat more than £4,000,000. A large sum had, within the last year, been remitted to India in bullion, but that need not alarm this country. Such a remission would be necessary so long as the present outlay on railways continued. The following explanation was given to the Secretary of State for India under the late Government by the Indian Government on this subject :—

> "The necessity for this requisition arose, not from any discovery that our gross expenditure would be largely in excess of what had been calculated, or that our revenues would be greatly less than had been expected, but solely from the great and sudden falling off of subscriptions to the loan. This circumstance, which even now has not been satisfactorily accounted for, was beyond foresight. But we had never concealed from ourselves, or from your Lordship, that such a contingency was possible."

It was clear, he thought, that there need be no alarm in the public mind with reference to the large demand made on the Treasury for remittances in bullion. Before he sat down he wished to say a few words on the present condition of our Indian empire. It was not surprising that great alarm should exist in the public mind at a deficiency of £9,000,000, £10,000,000, or £12,000,000 in our Indian revenue, and that very wild schemes and advice should be given as the remedy of this state of things. He saw it said that we could not save our Indian empire otherwise than by dismembering it. It was contended that the whole misfortune was due to the policy of annexation, and that we had better give back to the Native Princes a part of the territory that we had taken from them. This was not a remedy that any Government would be likely to adopt. Nor was it true that the present extent of our Indian empire had been the result of a deliberate and preconceived policy of annexation. It had come to us step by step and bit by bit, simply from the close contact between the vigorous civilization of the West and the decayed civilization of India. Where an attempt had been made to settle a war without annexation, as in the case of the first Sikh war, the attempt had utterly failed, for Lord Dalhousie as soon as he arrived found himself involved in a second Sikh war. The annexation of Oude was not an annexation of conquest, but arising from other causes, and justified, as he thought, on other grounds. He believed that it would be a crime of the highest order to restore that kingdom to the dominion of the Sovereign from whom we took it. That annexation once made was an irrevocable act. The annexation of the Punjab no one would regret who remembered that it was in great part through the aid given by the Governor and people of that province that our Indian empire had been rescued during the recent mutiny. Then it was said that it was necessary to break down the great office of the Governor General, and constitute independent Presidencies. There had been for a long time complaints on the part of the minor Presidencies that they were held by too tight a reign. Without entering into the merits of this proposal he would only now say that the natural course of things seemed to him to be adverse to its adoption. The progress of events, the introduction of railways and telegraphs, tended rather to unite than divide our empire. During the late mutiny the Governor General had been enabled to send orders to Sir John Lawrence and Mr. Frere, on the very confines of our empire, with more rapidity than the Marquess of Wellesley had been able to communicate with Lucknow and Hydrabad. He knew that great complaints were made by the minor Presidencies that more money was not laid out in them upon public works. That expenditure might be required, and might eventually be profitable, but it would not in the first instance tend to the saving of money, but rather to the increase of expenditure. The reduction of civil salaries was pointed out as another mode of restoring the finances of India, and a detailed report on this subject was under consideration both in India and at home. But even if a reduction were made in the salaries of civil servants in India the increasing demands of the administration of a great empire would compel the Government to lay out that saving upon other salaries. Upon the whole, therefore, and on the average of years, it would not be advisable to look to the reduction of civil salaries as a means of restoring the balance between income and expenditure in India. Those salaries must be high to induce the best men in this country to give their lives and abilities to the service of India. If those salaries were reduced below the point which would secure the services of the best men we should make a great mistake. He came back then to the proposition that the only hope for the finances of India must be in reduced military expenditure. The military expenditure of India in ordinary years had been before the mutiny £12,000,000, excluding all extraordinary charges. That was about the amount now voted for the military service of the whole British empire, and he could not doubt that the defence of our Indian empire would be maintained, now that tranquillity had been restored, for even a smaller sum. If that sum were sufficient before the mutiny it would be more than sufficient in future. There was no longer any Native Power that could give the Indian Government any uneasiness. The complete disarmament of our own subjects was proceeding. We might not be able, nor perhaps was it desirable, to deprive them altogether of small arms. But not a gun could be cast in India without our consent, and it had been proved that a Native army without artillery was useless. It was beyond all question, he thought, that our relative superiority to the Natives had not only not decreased but rather increased. On all those grounds he thought the true solution of the present difficulties was the reduction of the Indian military expenditure to a sum not greater than it was before the outbreak of the mutiny; and unless the Government could do that, he confessed he saw no immediate prospect of bringing the expenditure within the revenue. He assured the House that the subject would continue to receive the anxious consideration of the Government.

Moved, That the House do now resolve itself into a Committee upon the said Bill.

THE EARL OF ELLENBOROUGH: My Lords, if I were to go through the different topics which the noble Duke has touched upon, I should certainly occupy your Lordships' attention till the time fixed for the termination of the Session. Least of all do I wish to go into the question of annexation, which is far too wide and too important a subject to be discussed in an incidental manner, at the close of a Session. I will refer, therefore, only to the financial topics, and on these I wish to say as little as possible. I cannot oppose the present Bill, because I recommended the very measure, and no doubt the state of things has not improved since that time. At that time we had every reason to believe that the Government would be able to borrow all the money they wanted; but now the power of borrowing is nearly gone. I have looked over the Indian Estimates, and I cannot help thinking that the expectations of revenue are over-estimated, and I think also that the expectations of deduction in the military expenditure in Madras and Bombay are still more over sanguine. However, your Lordships have read the papers, and you can form your own opinions upon the subject. I must say that I think it is very hard upon the Indian Government, and most intolerable, that in the midst of their financial difficulties they should be compelled to pay £5,000,000 towards the mercantile speculations of the gentlemen who have determined to establish railways in India. I do not think that the expenditure on railways should be mixed up with the general expenditure of the country; and I do hope that if any further guarantee is granted to any speculators in railroads, it will be provided that the money shall be drawn out where it is paid in, and that the Government in its relations with them shall simply act as bankers. Many years ago, before the Government of this country determined upon granting guarantees of 5 per cent upon the railway speculations, I ventured to caution your Lordships and the public against the danger likely to arise from these transactions. I said, and I think it stands to reason, that it should be so, that if you offered to guarantee 5 per cent upon the expenditure, and gave the shareholders whatever advantage might be derived from the surplus profit, it would be idle to attempt to induce persons to lend you money at 4 per cent, or at any less rate than 5 per cent. The consequence of this course of the Government has been to extinguish its power of borrowing money under 5 per cent. I most deeply regret it; it has created a burden most severe, and has introduced great complication into our monetary transactions in India. The state of things now is, that after this year allowing £7,000,000 to be borrowed, we are obliged to sanction the borrowing of £5,000,000 more. The remedy does not solely lie in an increase of taxation. I venture to caution the Government against establishing any new taxes. It is only by increasing the pressure of the old taxation that the Government can safely increase the revenue; but I confess I do not expect any material improvement in our financial condition from an increase in the revenue. It must be effected by diminution of expenditure. I have seen it announced that it is the desire of the Government to induce Mr. Wilson, a very able gentleman, to go to India, to act as Chancellor of the Exchequer there, and to be an Extraordinary Member of the Council. I think this step is a right and proper one. I had myself the same design some thirty years ago; I had it in contemplation then to send a very able man, and one of great capacity, to undertake a similar office; and if the then Government had lasted long enough I think it not at all improbable that the arrangement would have been carried out. Your Lordships will recollect that on more than one occasion I urged on the House and the Government the expediency of substituting a statesman for a lawyer as an Extraordinary Member of the Council. If Mr. Wilson, or any other gentleman accepts the office—and I hold very strong opinions as to the duty of public men to serve their country—I hope that he will have the assistance of other able men; for without such assistance I fear he will not be able to effect much good. I think that any gentleman who goes out as Chancellor of the Exchequer will find himself very much embarrassed if he has not the same assistance which the Chancellor of the Exchequer has in this country. Whoever undertakes the office will have to produce order out of chaos. It is impossible to describe any state of things worse than that which I recollect to have existed in financial accounts of India. We had to teach the public servants not only habits of business but habits of obedience, and this latter duty was the most difficult to accomplish. But with the assistance which he might take out, and the assistance which he will obtain there, he will be able to reduce the accounts to something like an intelligible state, and I think that then a very material reduction may be made in the expenditure. I agree with the noble Duke, but I go much further than he does, in deprecating the announcement of any reduction in the stipends attached to the civil service. I feel perfectly certain that while that resolution would not be productive of any great benefit to the finances, in a political point of view it would produce the most injurious effects. It would, in fact, produce a revolution in the mode of conducting the business of the country, because it would produce a revolution in the men. The civil servants during the first few years of office get into debt; during the few subsequent years they pay off their debts and become free men; and it is only during the last few years that they are in receipt of a salary large enough to allow them to realize sufficient to enable them to come and reside in this country with any degree of comfort. If you reduce their income, you will make it still more difficult to realize these sums, and you will defer the period of their return. You will thus stop promotion, and thereby declare that India is no longer to be governed by young men, but that it shall be governed by old men. It has been the youth employed in the public service of India, more than anything else, which has tended to that success which we have enjoyed. There is this further reason. Before the salaries were raised to their present rate, there was more than suspicion of the probity of the persons employed in the public services in India, and the present system is in some sense a guarantee for the probity of those who administer the government of the country, in which each collector may be said to exercise the power of a pro-consul. During the last thirty years I have known of only three cases of such suspicion. The Government of India has been raised and sustained by the youth and energy of its civil servants, and I trust that nothing will be done to impair the service. I think that the Chancellor of the Exchequer of India may make some deductions in the Native establishments. I confess I have always looked with regret and displeasure at the continual increase of Native establishments. You cannot appoint a new official without immediately receiving a demand for an enormous establishment that doubles the expenses connected with the department. I doubt the expediency of these great establishments. I believe there are persons who, in a great measure, take advantage of their positions to do benefit to themselves and injury to the service. I am quite sure that an intelligent, energetic Government might most materially reduce these establishments, which would be a great saving to the public. I remember, several years ago, calling for a return of the civil servants of the State, when I found that they were more numerous than the army; and yet that is for the purpose of carrying on the ordinary business of the country. My Lords, there is no doubt that great reductions must be made in the military establishments, and I very greatly regret that this Session has terminated without our having received from the Government a statement of their views with respect to the reorganization of the Indian army. My own views on that subject are very distinct. I feel the necessity of a great increase to the European force, far beyond its present strength; and I know that the expense of the European force is practically equal—number for number—to the expense of three Native establishments.

Therefore, if we increase to double—almost to treble—the European force, looking at the same time to the increase which has taken place in the Native force, of which we have so much reason to be jealous, this does appear to me to be an act of unreason, and I cannot comprehend how the Government has not taken advantage of the first moment of re-established tranquillity to commence with energy to reduce the establishment of these Native regiments. It is of very little use to reduce the privates only; there must be a reduction of officers as well. Without that there is no economy. And I believe up to the present time—I do not speak with absolute certainty—there has been little or no reduction in the officers of regiments in India; so that the staff remains almost the same that it was two or three years ago. My Lords, I hold it absolutely necessary to have this great European force in India, and I think that a great European force should be formed as economically as possible; for of this I am quite certain, that that which is most politic is also most economic. It should be a principle of our Government to create in the European army a balance of the local force against that which is called the army of the line; and, moreover, that they should have a Native force which would balance the European force. It is only by a system of balances that we can ultimately hope to retain our empire in India. My Lords, proceeding on that principle, I would at once effect a reduction—and the present state of things renders it practicable—of the entire number of Native troops which is in excess of the European soldiers that you have in that country. That would be a reduction of no less than 94,000 or 100,000 men—for your Lordships may hear with surprise that at the present moment, while we have in India 110,000 Europeans, we have besides that European force 194,000 or 195.000 Native troops, in addition to 80,000 policemen; indifferently armed and disciplined no doubt—but making altogether a Native force of 275,000 armed men, while the European force is but 110,000. I feel that it is only by a very large and immediate reduction of that Native force that it is possible for us to look ultimately for a reduction of the Indian expenditure. I will not look gloomily on the future of India. It is the noblest empire that ever was acquired by man—at least it might be made so by good government. It is to the eternal honour of this country that 100 years have expired since we acquired that empire; and perhaps it is even more to our honour that in the last two years we were enabled to recover it when it seemed nearly lost. There is nothing that would ever induce me to relax the hold which this country has on India; and I only trust that this Government, discarding every consideration but that of the public interest, will determine to do everything which it is possible to do to enable us to retain that empire, and, retaining it, to confirm our rule to the benefit of the people.

Lord LYVEDEN said, that having been very much mixed up with the administration of the affairs of that important dependency, he might be permitted to offer a few observations on the present occasion. He wished to express his regret that this Bill had not been introduced at an earlier period, in order that the question might have received that deliberate attention and consideration which its gravity required. The measure before the House was, in his opinion, fraught with deeper and larger consequences than were involved in the mere financial question; for the position of India as regarded monied interests could not be separated from other important details. He agreed with the noble Duke in thinking that there was no cause for despondency:—if he had any such feelings they would be derived from alarm at the want of vigour, unity, and responsibility in the Indian Government. It had been supposed last year, when the system of double government was abolished, nominally that the evils arising from a want of responsibility would be put a stop to; but unhappily in reality they were still found to survive. He hoped that when Parliament assembled next year effectual measures for remedying this defect would be adopted. Nothing could more strongly illustrate his meaning than what has happened on the recent act by European troops, he would not call it of mutiny, but certainly of insubordination. Did anybody doubt that revolt might have been avoided by good management; and, if so, on whom was the responsibility to devolve? Was it on Lord Clyde, Lord Canning, the Council of India, or the Council at home or the Secretary of State? No one could say where it ought to rest; and it was therefore clear that, as regarded the administration of Indian affairs, there was a total want of responsibility at the present moment. He regretted, likewise, that the difficult subject of Indian finance had not been approached in a bold and intelligible spirit; especially as regarded the question of a national guarantee. Why was not this at once made an Imperial question? Why was the credit of this country not directly given in aid of India? They would save millions by so doing. He believed that if the time ever came when India could not meet its engagements no one would be bold enough in this country to repudiate the debt. To attempt to repudiate that debt would shake both their political and commercial credit. He could not hear Gentlemen talk about abandoning India without a certain amount of shame. Abandon India! We never could consent to give up the pride of centuries, to restore to barbarism the countries in which we had implanted civilization, and to abandon the hopes which we entertained of bringing millions of our fellow beings by safe, cautious, and steady steps, to a holier aspiration and purer belief. He was, however, surprised that the noble Duke had not informed their Lordships what course would be adopted by the Government as to any future financial assistance which might be required by India — whether it would be afforded in the shape of a guarantee or by any and what other means. The question which was now most pressing was the equalization of the expenditure and revenue of India. To accomplish this both the civil and military expenditure must be reduced. Yet to the reduction of the civil expenditure the noble Earl opposite (the Earl of Ellenborough) was absolutely opposed. Three years ago he ventured to suggest that the emoluments of the civil servants might be reduced; and though he was then accused of rashness, similar opinions had lately been expressed by both Secretaries of State Lord Stanley and Sir Charles Wood. His opinion was that, as had been well urged by the noble Duke, you ought to make the scale of payment such as would induce good men to enter it, but nothing more. The Indian civil service was a very fine service, but it was the highest paid service in the world. The remuneration of its members was from the beginning a competency, at the end an ample fortune. He saw nothing in the climate of India which rendered it necessary that public servants in that country should receive salaries so much higher than those which were paid in other colonies where equal discomforts had to be encountered; still less could he account for the fact that gentlemen going from Ceylon to Madras should at once jump from comfort to luxury. Payment ceased to be judicious when it merely resulted in an increase of expense without a corresponding increase of efficiency. He did not think that a reduction of salary would diminish the probity of the civil servants. Probity was not necessarily the consequence of a high salary; and, indeed, the wealth which induced luxury was more likely to impair than to promote it.

THE EARL OF ELLENBOROUGH: I say that there is no luxury in India.

LORD LYVEDEN: That must be a matter of comparison; what one man might consider a luxury another might consider a necessary; but he thought he was justified in saying that, compared with that of officers in other colonies, the condition of the civil servants in India was luxurious. He thought there might be a much larger employment of uncovenanted servants, and that in this way economy and reduction might be effected. One advantage of reducing the salaries of the civil servants would be that you would enlist that powerful body in support of other reductions, which, so long as their own emoluments remained untouched, they would always oppose. This reduction must, as Sir Charles Wood had said, emanate from home, and before that could take place there must be a considerable reduction in the home Government itself. You must reduce what the present Prime Minister called that gigantic job the Indian Council. You must reduce its members to six, make them heads of departments, and so get rid of the committees, which were rather committees of conversation and discussion than of action, and which would be found by all Secretaries of State rather encumbrances than advantages when prompt action was necessary. After all, however, the great saving must be effected in the military expenditure, and he was glad to hear the noble Earl say that in his opinion great reductions might be made in both the Native and the European forces. Another question which involved expenditure was the maintenance of a local European force. That question had in fact been decided by a Bill which was now waiting for second reading by their Lordships, and which while professing to waive, really settled the great question which was referred to the Commission which considered the re-organization of the Indian army, for it provided for a larger European local force than we had ever had before. Two steps which would facilitate the reduction of the army would be the establishment of an effective police, and the adoption of a system of paying money in notes through the medium of branch banks, instead of the present practice of carrying bullion with an escort of troops from one part of the country to another. The noble Earl, in speaking of the expected mission of Mr. Wilson to India, had spoken of him as a Chancellor of the Exchequer. He had never understood that he was to act in such a capacity, and he was sure that if he was to have anything like the powers of a Chancellor of the Exchequer in England it would involve a great interference with the Government of India. All that he imagined that Mr. Wilson would have to do would be to take office as a Councillor, to examine into the accounts, and to institute, if he could, an effective method of keeping them, and to report to the Governor General, who would either act upon his own responsibility or after reference home. Mr. Wilson would find that he had a good deal to learn and might possibly meet with considerable opposition, particularly if he was to have thrown upon him the invidious task of reducing the expenditure. He hoped, however, that he would be armed with such authority, and so backed at home that the country might obtain the full advantage of the suggestions which he might make. If we could effect a considerable reduction in the military and a small reduction in the civil expenditure, our only other resource for producing a balance would be an increase of taxation. He was quite ready to admit that such an increase would be difficult; but he could not help thinking that some taxes might be found, such as a succession duty, to which the Natives were accustomed, which they would pay willingly, and which might produce a large addition to the revenue. He hoped that, without oppressing or injuring the Natives of India, money might be raised by additional taxation. He believed that the merchants of India were of all persons in a civilized state the most exempt from taxation, and he was of opinion that means might be adopted to arrive at a knowledge of the amount of their gains as had been done in the case of traders in this country assessed to the income tax. Therefore, he did not despair of obtaining a similar revenue in India. If the taxation could be increased without injuring or annoying the Natives, and if the expenditure, civil and military, could be reduced, the future of India might be looked to, not with apprehension, but with more sanguine hopes than it seemed at present to be contemplated. That immense empire, hitherto a source of glory to this country, might then become a source of wealth, and afford an open field to men of energy and industry who would not only found their own fortunes, but add fresh honour to the English name.

THE EARL OF ELLENBOROUGH said, that the noble Lord supposed that he had said that there might be an immediate reduction of European troops. He had expressed no decisive opinion on that point, as he had not sufficient knowledge with respect to it; but he trusted that the time was not far distant when some reduction might be made. When, however, the number of European troops was reduced, it would be necessary to reduce the Native troops to a similar amount. With respect to the appointment of Mr. Wilson, there could not be the smallest objection to make one of the Members of Council a financial member, but it should be clearly understood as his duty that he must co-operate with the Governor General.

Motion *agreed to.*

House in Committee accordingly.

Bill *reported,* without Amendment, and to be read 3ª *To-morrow.*

RESERVE VOLUNTEER FORCE OF SEAMEN BILL.—COMMITTEE.

House in Committee (according to order).

THE DUKE OF SOMERSET, in moving that the House do go into Committee on this Bill said, that after the full discussions which had recently taken place on the importance of a naval reserve force, he was sure that any provision which could possibly add to the naval reserves of the country would meet with their Lordships' approbation. The present Bill emanated from the Report of a Commission, but only dealt with one of their several recommendations, as it was thought that it would be inconvenient to mix together different subjects in one Bill. The Bill was confined to the one point of a naval reserve force, and in its form somewhat resembled a measure previously brought in relating to the Naval Coast Volunteers; but in its intention it was very different. The previous measure dealt with those fishermen and others on the coast who were naturally unwilling to be taken away from the country, and, therefore, though they might be made available for manning gunboats and other small craft, were not available when a fleet required to be manned. Consequently, it was thought desirable by the Commission that another force should be created, and it was believed that by offering to sea-faring men a small sum by way of retaining fee, and a pension after some years' service, they would be willing to enrol themselves, go through a drill, and be ready on a sudden emergency to man the fleet. So far as experience went there were some grounds for believing that this measure would be effectual for its purpose, because the Naval Coast Volunteers had been enrolled to the number, he was told of 6,000 or 7,000, of whom 5,000 were well trained and as efficient as any other men in the navy. Still, the necessity for the services of a class more effective for the defence of the country led to the introduction of the present Bill, which proposed to give £5 a year and the pay of seamen during 28 days' drill to such as enrolled themselves. These sailors might go to any part of the world they pleased, so long as it was known where they were to be found. There would be no objection to their going to distant places, for if war broke out sailors would be wanted not only here but in other parts of the world. The plan adopted in the Bill was an experiment, and, as such, powers were only taken in the Bill to make regulations. The excellence of the plan would of course depend on these regulations, which would be made by the Admiralty, communicating with the Board of Trade, shipping masters, and persons best able to suggest what regulations would be most likely to bring the seamen in the manner wanted. What was desired in the first instance was that a beginning should be cautiously made. If the number of men enrolled should amount, as was anticipated, to 30,000, that would entail at once an annual expense of £150,000; but to this would have to be added the expense of the 28 days' pay and provisions for the period of drill; so that including minor expenses, and supposing the whole to be embodied, they might reckon the annual outlay at £280,000. The Government wished to see the enterprise begun, though they did not expect to get the men all at once, but the object would be to render the measure popular among seamen and shipping masters, and then they might look forward to obtaining an effective force. This was no party question, for all persons were equally anxious that some measure of this sort should succeed. It had been examined with great care by the Commissioners, by whom it was almost unanimously agreed to. Mr. Lindsay had drawn up another and a valuable report, and to many of the suggestions due attention would be paid by the Admiralty. He would add that the present measure by itself was not all that was required for producing a good reserve. Another important measure was the training of boys in training schools, so that in a few years they would become good sailors. That measure he thought would be wise, but it would require great consideration, and it was thought better not to mix the questions up together in the present Bill. When the plans which he had mentioned should be carried out, he did not doubt but that we should have rendered impressment unnecessary, if it were still possible, and, moreover, we should have a better body of seamen than under any system of impressment. As he had said, this plan was only an experiment, but he had sanguine hopes of its success, and no efforts would be wanting on the part of the Government to render it effective in providing a sufficient reserve of seamen.

THE EARL OF ELLENBOROUGH said, he viewed the introduction of this Bill with very great pleasure, and hoped it would be successful. He thought they were greatly indebted to the Gentlemen who formed the Royal Commission for the very valuable Report they had made. He had, however, one apprehension with respect to the working of this measure. The object of the measure was to provide a force for home service in case of emergency. Those seamen engaged in short voyages or in the coasting trade would have no difficulty in presenting themselves each year for training under this Bill; but those who were engaged in long voyages to Australia and the East Indies would, he apprehended, often not be forthcoming when called upon. He should like to know whether the engagement would be restricted to those seamen who were most likely to be forthcoming when wanted.

THE DUKE OF SOMERSET said, the Bill did not provide either way upon that point, which would have to be dealt with by the regulations. His own impression was that it would be unwise to limit the distance to which sailors should be allowed to go, but rather to provide that wherever they were they should be under the provision of the Act.

THE EARL OF ELLENBOROUGH suggested that at least each sailor who went upon a long voyage should only do so upon condition of providing a substitute to appear for him in case of absence.

Bill *reported*, without Amendment, and to be read 3ª To-morrow.

WAKEFIELD ELECTION.

A CONFERENCE. COMMONS' ADDRESS CONCURRED IN.

Conference had, at the Desire of the Commons, upon the Subject Matter of an Address to be presented to Her Majesty, under the Provisions of the Act 15 & 16 *Vict.* cap. 57. ; and Report made, That the Commons had agreed to the following Address, to be presented to Her Majesty, to which they desire the Concurrence of their Lordships :

> Most Gracious Sovereign,
>
> We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg Leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Wakefield, have reported to the House, that there is Reason to believe that corrupt Practices have extensively prevailed at the last Election for the said Borough of Wakefield :
>
> We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause Inquiry to be made, pursuant to the Provisions of the Act of Parliament passed in the Sixteenth Year of the Reign of Your Majesty, intituled "An Act to provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament," by the Appointment of Mr. Serjeant Pigott, William Henry Willies, Esquire, and Wyndham Slade, Esquire, as Commissioners, for the Purpose of making In-Inquiry into the Existence of such corrupt Practices:

Then it was *moved* to fill up the Blank in the said Address with "Lords Spiritual and Temporal and" ; *agreed to :*

Then the said Address was *agreed to ;* and a Message sent to the Commons to acquaint them that the Lords had agreed to the said Address, and had filled up the Blank :

The Lord Steward and The Lord Chamberlain of the Household to attend Her Majesty with the Address on the Part of this House :

The Lord Steward to wait upon Her Majesty humbly to know what Time Her Majesty will please to appoint to be attended with the said Address.

MEDICAL ACTS AMENDMENT BILL.

COMMITTEE.

Order of the Day for the House to be put in Committee upon the Medical Acts Amendment Bill read.

The Earl of BESSBOROUGH moved, that the House do now resolve itself into a Committee on the said Bill.

Viscount DUNGANNON moved, that the Bill be committed that day three months. He did so, because he found the Royal College of Surgeons in Dublin, London, and Edinburgh, and the Royal College of Physicians in the last-named city united in asking to have the Bill postponed until next Session, that they might come to some arrangement with the University of Dublin, which wished to introduce a new system under which the Universities would have power to grant licences to practise in surgery.

Amendment *moved*, to leave out "now," for the purpose of inserting "this day three months."

Lord REDESDALE stated, that the Bill did nothing more than remedy an omission in the Bill of last Session, in conferring on the University of Dublin the right which she at all times possessed of granting surgical licences. The surgical education in that University was of the highest class.

The LORD CHANCELLOR thought it but right to pass the Bill, if it was merely meant to remedy an error in the Medical Act of last Session; but if it introduced any new principles or arrangements, he was strongly opposed to its being farther proceeded with until they had further time for inquiry.

Earl GRANVILLE thought, as there were some matters in dispute, it would be well to postpone the Bill for the present. If the University of Dublin obtained the right it sought by the Bill, the English and Scotch Universities would be claiming it also.

The Duke of LEINSTER was understood to support the Bill.

Lord KINGSDOWN hoped the noble Lord who had charge of the Bill would not press it this Session. There had been no opportunity of inquiry; and one part of the Bill had been thrown out by the other House.

Amendment and original Motion *withdrawn;* and Order for the House to be in Committee, *discharged.*

EUROPEAN TROOPS (INDIA) BILL.

SECOND READING.

Order of the Day for the Second Reading read.

THE DUKE OF ARGYLL moved the second reading of this Bill, and explained that its object was to enlarge the powers of the Indian Government with regard to the amount of European forces that might be maintained in that country.

Moved, That the Bill be now read 2^a.

THE EARL OF ELLENBOROUGH was glad the Government had come to the conclusion that there should be a large local army in India; and his own opinion was that it should be of sufficient amount to give it self-respect, and to secure for it the respect of others. With regard to the revolt that had recently occurred, he regretted that the Government had not taken pains to explain to the men the real state of the case. It was necessary not only to act with justice towards those men, but to let them understand that they had justice; and this the Government of India had not done.

After a few words from Lord WYNFORD,

Motion *agreed to.*

Bill read 2^a accordingly.

Committee *negatived;* and Bill to be read 3^a *To-morrow.*

INCLOSURE BILL.

SECOND READING. SPECIAL CASE.

Moved to resolve,

That as regards the Inclosure Bill, owing to Circumstances which the Inclosure Commissioners regret should have occurred, the Introduction of this Bill has been delayed to a late Period; and that as it appears that no Opposition is to be expected from any of the Places affected by it, and that much Inconvenience and Injury will ensue if the several Inclosures mentioned in the Bill cannot be proceeded with forthwith, it is reasonable that the said Bill be allowed to be read a Second Time;

Agreed to.

Bill read 2^a accordingly (according to Order);

Committee *negatived:* and Bill to be read 3^a *To-morrow.*

PEERAGES IN ABEYANCE.

LORD REDESDALE called the attention of the House to a Notice given by him on the 30th July last year with respect to the subject of peerages in abeyance, not with the intention of asking their Lordships to adopt those resolutions, but that it might not be supposed that he had given up the subject. The late change in the Government had alone prevented his moving in the matter, which he felt ought not to be brought forward unless Her Majesty's Ministers were prepared to express an opinion upon it. This year three new petitions had been referred to the House, which proved that he had in no degree exaggerated the extent to which these claims would interfere with the proper discharge of the duties of the House in Appeals. Among these claims were two which so strongly illustrated the objections he had urged against the practice of creating Peers by terminating abeyances that he would state the cases. The baronies of Montagu and Monthermer, after having been united in one line of heirs for 200 years, fell into abeyance in the reign of Henry VIII., and now two gentlemen (cousins he believed) of the name of Lowndes, claimed one Montagu, and the other Monthermer. Both were men of fair estate, but neither had ever served the public in any capacity, and had no more reason to expect that Her Majesty would create them peers than every other gentleman of similar property and respectability. They however expect that in the first place this House will devote much valuable time that would otherwise be given to appeals to the investigation of their pedigrees, and then that Her Majesty on receiving our report that these peerages are in abeyance, and that they with others are coheirs (though not the eldest) make two peerages in their favour out of those titles which after having been held together under a higher title for two hundred years have been unknown to the House and practically extinct for three hundred more, and thus put two members of a family for the first time ennobled above almost every other baron, neither of them having the slightest right to expect to be made peers except from the infinitesimal and divided portion of noble blood which has descended to them through this long abeyance. That any expectation should exist, that such a thing could be done he considered most unfortunate, and equally unfair to the Crown and to the Peerage, and he trusted that some steps would be taken to put a stop to it. He was well aware of the difficulties attending the subject, but he thought that Her Majesty might be well advised when any such petitions were hereafter presented to her to direct that the receipt of them should be acknowledged, but neither refer them to Her Attorney General, nor to this House for any report. If this practice was adopted it would render further proceedings unnecessary, and settle the question in an unobjectionable manner.

Earl GRANVILLE and the LORD CHANCELLOR were understood to express their concurrence in the views of the noble Lord in regard to the importance of the subject and to state that it was under the consideration of the present, and had also been under that of the preceding Government.

House adjourned at Eight o'clock,
till To-morrow Four o'clock.

HOUSE OF COMMONS,

Thursday, August 11, 1859.

MINUTES.] NEW WRITS ISSUED.—For Devonport, *v.* the Right honble James Wilson, Manor of Hempholme.

NEW MEMBERS SWORN.—For Taunton, George Cavendish Bentinck, esquire.

PUBLIC BILLS.—3° Charitable Trusts Acts Continuance; Divorce Court; Sale of Gas.

THE BUILDERS' STRIKE.

QUESTION.

MR. EDWIN JAMES said, he would beg to ask the Secretary of State for the Home Department whether he has any objection to state to the House the object and the result of a Conference held with him by a deputation of the Central Association of Master Builders on Tuesday last upon the subject of the Builders' Strike and Nine Hours' movement?

SIR GEORGE LEWIS: Sir, a deputation of Master Builders was introduced to me at the Home Office a few days ago; they stated that their object in applying for an interview was to explain the grounds upon which a difference had arisen between themselves and the working men of their trade. They made statements showing the reasons which had determined their conduct, and they also expressed to me an opinion—in which I could not concur—that it would be desirable that either this House or that Her Majesty's Government should take some part in arbitrating between themselves and the men, with the view of bringing about an accommodation. I stated that, although I thought the House of Commons was admirably fitted for the performance of its proper functions, I believed one of the means which had enabled it to maintain its authority and character, not only in this country, but throughout the world, was by abstaining from interference in affairs for which it was unfitted. I said it appeared to me that Parliament was singularly unfitted to arbitrate in a dispute between masters and men; and I also added that the Executive Government, although perhaps not so much disqualified for that office as a House of Parliament, did not possess the knowledge which would fit them for the duty, and that I could not therefore hold out any expectation that either the Executive Government or I myself could undertake such a function.

THE CHILTERN HUNDREDS.

QUESTION.

MR. DARBY GRIFFITH said, he rose to ask Mr. Chancellor of the Exchequer whether or not it is his intention, on the part of the Government, to grant the Stewardship of the Chiltern Hundreds, or any of the other appointments commonly employed to vacate a Seat in the House of Commons, to any Member against whose Return a Petition was now pending, previous to or during the period of the Recess, and before the reassembling of Parliament next Session?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I understand the question of the hon. Member for Devizes to imply an opinion that, at all events, in a case when a Petition is pending, and the Stewardship of the Chiltern Hundreds is applied for, upon the simple ground that such Petition is pending it should be the duty of the Chancellor of the Exchequer not to grant the application. Now, Sir, I am bound to say that I do not take that view of the duties of the Chancellor of the Exchequer. I do not think he would be bound to refuse, or that even he would be justified in refusing the grant of the Chiltern Hundreds upon the simple ground that a Petition was pending against the return of the person who applied for the Stewardship; and perhaps, as this matter had been referred to on several occasions, I may say that I think the hon. Gentleman's question proceeds upon a misapprehension of the duty of the Chancellor of the Exchequer with respect to this grant. The House of Commons has always shown the utmost jealousy, and in my opinion a most proper jealousy, in reserving to itself exclusive jurisdiction in every matter with respect to the election of its Members, and my belief is that this House would resent most strongly any interference from any quarter, but especially on the part of a Member of the Executive Government who might assume to himself any new or unusual discretion with regard to the resignation of Members. The true doctrine on this subject was, I think, laid down recently by my right hon. Friend the Chancellor for the Duchy of Lancaster, who said that it was for the House itself to determine these matters, and that the Chancellor of the Exchequer was not entitled to consider in any case whether there were patent facts that gave him a *locus standi.* I have no means of inquiry. Hon. Members who apply for the Chiltern Hundreds are not accustomed to state to the Chancellor of the Exchequer the reasons which induce them to make the application, and I believe that if that official called upon them for a statement of those reasons they would resent such a demand as an unauthorized interference. The reason of this is plain. The Chancellor of the Exchequer has neither the machinery for making the necessary inquiries, nor is he in a position so impartial with regard to Members sitting on different sides of the House, as to make it at all certain that there would be confidence in his exercise of the power were it entrusted to him. It appears to me that the subject is one for the consideration of this House; and that the duty of the Chancellor of the Exchequer is limited to action when the House by some formal proceeding, or when an hon. Member by some substantive proposition, which the House may entertain, restricts the Chancellor of the Exchequer from exercising the power which is formally, and I may say Ministerially, lodged in his hands, of granting certain offices under the Crown to persons who wish to be enabled to resign their seats in Parliament.

THE STATE OF THE SERPENTINE.

QUESTION.

SIR JOSEPH PAXTON said, he would beg to ask the First Commissioner of Works if it is still his intention to proceed with the Works as proposed by Mr. Hawksley for partially cleansing the water in the Serpentine.

MR. FITZROY replied, that it was his intention to proceed with the works proposed by Mr. Hawksley, not as stated by his hon. Friend for the purpose of partially cleansing, but of totally and effectually cleansing, the water in the Serpentine. He thought that great misapprehension prevailed upon this subject. Two questions, which were quite independent of one another, had been mixed up in this discussion: the first relating to the mud at the bottom of the river, and the second with respect to the water itself. It appeared from the remarks which had been made in that House, and from statements in the public press, that the two questions had been regarded as identical, but he maintained that they were entirely independent. He believed that if the plan he proposed were successful perfect purity and limpidity would be secured in the water of the Serpentine, and that the mud, having lost its organic power, would no longer evolve any noxious gases, but would cease to be a source of ill-health or annoyance to the inhabitants and frequenters of the neighbourhood. It was therefore with the water of the Serpentine, not with the mud, that he proposed to deal. After a careful inquiry on the subject that morning he felt confident that the estimate he proposed was sufficient effectually to carry out the object he had in view—namely, to insure the purity of the water in the Serpentine. He believed that an effectual remedy for any nuisance that existed—if there was a nuisance—would be provided by an expenditure of £17,000; while the other plan suggested, of drawing off the water in the Serpentine and forming a concrete bottom, would involve a certain expenditure of at least £70,000. It was said that a nuisance would be occasioned by the erection of a steam engine, and it had been complained that the erection of a large steam engine near Albert Gate would create an eyesore, but the nature of his scheme in that respect had been entirely misapprehended. His proposal was to erect a small ornamental building, which would certainly not be an eyesore, at the Bayswater end of the river. It had been said that the filtering-beds would prove a nuisance to the neighbourhood, and that they would require a large amount of ground, but he was informed that the total area required for filtering 2,000,000 gallons of water per day would be less than three-fourths of an acre, and that the cleansing process would occasion no nuisance whatever. That process, which had been described as cumbrous, difficult, and expensive, would, he was informed, be effected in three or four hours, and would not occasion any bad smell, the refuse being allowed to run into the Bayswater sewer. It had been said that he had taken an estimate of £17,000 to effect an object which would require £170,000, and that the cost of the engines would be very considerable, a comparison being made between the works he proposed and those of the New River Company, which had engines of 200 horse-power at work during the day, and engines of 450 horse-power during the night. Now, there was a great misapprehension on this subject, for the cost of the engines he proposed to erect would be very small indeed. The engine power employed would be quite insignificant, for to lift 1,400 gallons of water per minute 10 feet high, engines of only 5 horse-power were required; and he proposed to erect two engines of 10 horse-power each, the whole cost of which would not exceed £1 a day. It must be remembered, however, that the engines of the New River Company were not employed for filtering, but for providing a supply at high service pressure, after filtration. The water of the Serpentine, about which such strong complaints had been made, contained only 2¾ grains of organic matter in a gallon, which was not much more than was contained in the water ordinarily supplied without filtering to the inhabitants of the metropolis for drinking purposes. The more consideration he gave to the plan he had proposed the more convinced he was of its feasibility. He had obtained the best professional advice on the subject; the highest engineering skill would be employed in carrying the plan into effect; and he had no doubt that it would be found possible, by that plan, to render the water of the Serpentine perfectly pure.

Mr. CLAY said, that as the hon. Member for Whitby (Mr. Stephenson) was present, and as his opinion on this subject had been referred to, he should be glad to ask that hon. Gentleman whether he thought the scheme proposed by Mr. Hawksley was likely to be successful?

Mr. ROEBUCK said, he wished as a question of order to ask the Speaker, whether it was competent to one hon. Member to ask the opinion of another hon. Gentleman, who was a private Member of that House, on such a subject?

Mr. SPEAKER said, the hon. Member had transgressed the limits imposed by the rules of the House with reference to questions, which ought only to be addressed to Ministers of the Crown with regard to matters affecting public business, or to hon. Members who had charge of measures before the House.

Mr. CONINGHAM said, that in order to afford the hon. Member for Whitby an opportunity of expressing his opinion, he would move the adjournment of the House.

Mr. ROEBUCK inquired whether it would be competent to the hon. Member for Whitby, in conformity with the Orders of the House, to speak upon any other question than that of adjournment?

Mr. SPEAKER: The House reserved to itself the power of allowing an hon. Member to move the adjournment, even in the case of asking a question; but he need scarcely inform hon. Members that it was not usual to do so, and that if the practice were persisted in, it would very soon put a stop to the business of the House. He did not mean to say that the hon. Member had not the power to move the adjournment, but he must inform him that it certainly was not a usual course.

Mr. ALCOCK said, that he would second the Motion for the adjournment of the House, as he thought they ought not to separate without arriving at some more satisfactory solution of the question than had been proposed by the Chief Commissioner of Works. He regarded the plan of that right hon. Gentleman as very unsatisfactory. At seven or eight o'clock in the evening the water of the Serpentine was downright pestiferous, and he did not see why the same plan of purification which had been adopted so successfully with regard to the Ornamental Water in St. James's Park should not be applied to that river. It was a disgrace to the Government that such a body of putrid water should be the only place to which thousands of the residents in the metropolis could resort for the purpose of bathing. If the present Chief Commissioner of Works did not understand matters of this kind, why did he not obtain the advice of people who did understand them, instead of persevering in a stupid and obstinate course? ["Order."] He was sorry if he had used words which were unparliamentary, because he wished to treat the right hon. Gentleman as a friend; but he really feared that he would lose all the credit he had obtained for energy in other offices, and bring discredit on the Government and himself, by pursuing a course which would bring detriment to the park and to London.

Mr. O'BRIEN observed that it was desirable to have the opinion of the hon. Member for Whitby on the subject; he would have been able to give it, and this irregular discussion would have terminated long before, but for the interruption of the hon. Member for Sheffield.

Mr. STEPHENSON said, that although he did not feel very sure that he was quite in order, he was willing to respond to the appeal which had been made to him to give his opinion on the Serpentine. He had been in the habit of visiting the place for many years, and had watched closely its want of purification. He had held the office of Commissioner of Sewers, and had devoted his attention a good deal to the means of excluding from the Serpentine the sewage of Bayswater, which formerly fell into it to a large extent, and the exclusion of that sewage had undoubtedly, to a proportionate extent, led to the purification of the river. At that time he felt there was some smell arising from the river, but for the last few years, say four or five, there had been a very undue amount of excitement respecting the Serpentine. He was in the habit of driving past it twice a day, and rode there occasionally for some hours, but he had never found, for the last three or four years, anything so offensive to his olfactory nerves as to lead him to coincide in the outcry that was recently raised. He believed that outcry was entirely unfounded, because, whatever the state of the Serpentine might have been, it was not now, to the best of his judgment, in an offensive condition. Supposing, however, that the water was impure, the question was how the nuisance should be remedied. The Serpentine was a stagnant lake, and the other day, in riding along the banks, he observed that a quantity of lime was being poured into the water. The consequence of this proceeding was that he saw dead fish floating on the surface, and occasioning the most offensive species of decomposition. In every lake nature provided a sort of equilibrium; there were the algeaceous plants, which were fed on by the small animals, which in turn were fed on by the large; they did that, therefore, with the Serpentine which they ought not to have done; by putting in lime they killed the large animals, which fed on the small, and thus rendered it more polluted than before. The case was very different with the Thames. He did not deny there might be an advantage in pouring lime into a tidal river, where the mass of filth was swept out every six or eight hours; but he was now arguing with regard to a lake which had no supply of water except the small drainage from the sides, and which was just sufficient to meet the evaporation, and no more. He maintained, then, that to throw poisonous matter into a lake like the Serpentine was entirely contrary to nature's process by which an equilibrium was established between animal and vegetable life. With regard to Mr. Hawksley's plan, it was an engineering subject, on which he trusted he might venture to give an opinion. Supposing, for the sake of argument, that the state of the Serpentine was as impure as had been represented—though he distinctly said he did not believe that it was; but supposing it was, the question was, what was the best mode of getting rid of the nuisance. He believed Mr. Hawksley's plan was that of creating an artificial stream, instead of a natural one. If they had a natural stream, flowing in at one end and out at the other, the lake would be perfectly healthy; but as they had not they should consider what means were at their command for creating something like a natural stream. They must create an artificial one, and for that purpose he believed that there was only one efficient plan, and that was the one suggested by Mr. Hawksley; namely, that of pumping up a large quantity of water at one end, and so drawing it away from the other. [Sir J. PAXTON: He does not do that.] He does do it; and he could not pump water into one end of the lake without drawing it away from the other. It was impossible. He had great respect for his hon. Friend's opinion upon matters of taste, but upon engineering matters he really must demur to give him the same confidence. His hon. Friend said there was no use in pumping out water at the Bayswater end and pouring it in there again. [Sir JOSEPH PAXTON: Hear, hear.] There was every use in it. The water could not be pumped out and then sent in again without creating a difference in the level of the water, and that would create a current from end to end, and he believed the calculation was that the whole body of water would be changed about every two months. Four and a half horse power would raise 2,000,000 gallons a day ten feet high. By doing that they must alter the level while they pumped it out or in, and if the level of the water was raised at the Bayswater end it must flow down to the Albert-gate end. With regard to the objection on the score of the offensive nature of the filtering process, he entertained no apprehensions whatever on that ground. He believed this was the least expensive and the most effectual plan that could be adopted, supposing the water of the Serpentine to be offensive, which he did not admit. He frequently passed the Serpentine four times a day, and almost always twice daily, and within the last four or five years he had not experienced anything in the least offensive. He must say, however, that in his opinion Mr. Hawksley's plan afforded the most simple and economical means of purifying the water.

Sir JOSEPH PAXTON said, he was the last man to put his opinion on any subject of engineering in competition with that of his hon. Friend who had last spoken, and who was undoubtedly at the head of his profession; but he did not think this was altogether an engineering question. He (Sir Joseph Paxton) was quite satisfied that Mr. Hawksley's plan would not answer. The proposed filter-bed would only hold a small quantity of water, and he believed that under the plan suggested there would not be a difference of one-eighth of an inch in the level of the surface of the lake. He would venture to say that if the plans were carried out there would not be the slightest change in the water beyond the bridge. His hon. Friend had condemned the system of pouring lime into the Serpentine, and in that opinion he concurred, because, however advantageous it might be to put lime into the Thames, in a lake like the Serpentine it destroyed the fish, which acted as the best filterers of the water. He might observe, however, that according to Mr. Hawksley's plan it was proposed still to pour lime into the Serpentine along the banks.

Mr. EDWIN JAMES said, that when two such authorities as the hon. Member for Coventry (Sir Joseph Paxton) and the hon. Member for Whitby (Mr. Stephenson) disagreed, some allowance ought to be made for the Commissioner of Works; and he certainly did not deserve the language applied to him by the hon. Member for East Surrey (Mr. Alcock). Every one agreed that the Serpentine required purifying—the only question was as to the mode of carrying it out. The right hon. Gentleman the Commissioner of Works seemed to have taken advantage of the best engineering skill, and the matter might safely be left in his hands.

Mr. VINCENT SCULLY said, this was a matter on which any man with the use of his five senses could form an opinion as well as the best engineer. He also took a personal interest in the matter as he lived close to the Serpentine. He had observed its condition narrowly for the last two years, and he could not subscribe to the opinion that it was not in an offensive state. On the contrary it was far worse than the Thames itself. The putting of lime into the lake had destroyed large quantities of fish, and if the present First Commissioner of Works continued that operation he ought to be indicted by the Society for the Prevention of Cruelty to Animals. What was required was that the sewage should be intercepted before it reached the lake, and as large a supply of fresh water as possible obtained.

Sir MORTON PETO said, that the First Commissioner of Works having consulted him on the proposed plan, he had satisfied himself of its perfect practicability, and that everything to be desired would be accomplished by it. It had been suggested that the water from the lake in St. James's Park should be pumped into the Serpentine; but the fact was that the water there filtered through the concrete bed into the well, and was pumped back again into the lake. The practical effect of that recommendation would therefore be to empty the lake. Complaint had been made of the dangers of the Serpentine to bathers. But at an expense of a few hundred pounds a sufficient portion of the shore of the Serpentine could be levelled for the safety of bathers who could not swim. All good swimmers preferred deep water, and they would go where they could get it. As to the sewer at the Bayswater end, the scheme of the Metropolitan Board of Works would cut off all the sewage which polluted the Serpentine. The plan under discussion, therefore, practically secured all that was required, and there never was a mechanical and engineering problem of more easy solution.

Mr. DARBY GRIFFITH said, that the Chief Commissioner admitted that the filtering beds would require nearly three-quarters of an acre, and he should like to know how they were to be constructed without being extremely nasty, offensive, and injurious to the health of the neighbourhood. The only course that ought to be taken was to take out all the foul water, and to supply fresh water in its stead. The plan of Mr. Hawksley did neither the one thing nor the other, and he contended therefore, that it had all the elements of a faulty arrangement, and was not likely to be successful.

Motion for adjournment *negatived.*

BUSINESS OF THE HOUSE.

OBSERVATIONS.

Mr. NEWDEGATE said, he would take

that opportunity of calling the attention of the House to the business on the paper. At twenty minutes to six yesterday he asked the hon. Member for Salford (Mr. Massey) when the Charitable Trusts Continuance Bill would come on, and he replied, the first thing to-morrow. He (Mr. Newdegate) then asked, what time the House would meet, and the answer was, 2 o'clock. Now, to-day he found no less than three Orders of the Day were placed before the one he had mentioned, and he thought the Government ought to abide by the understanding come to yesterday, and take the Charitable Trusts Continuance Bill, as promised yesterday.

Sir GEORGE LEWIS said, the hon. Gentleman had raised an unnecessary difficulty, for although the Bill was fourth on the paper, it was virtually first, the others having only formal Amendments to be made to them.

THE ANTRIM MILITIA.

QUESTION.

Mr. ARNOTT said, he wished to ask the Chief Secretary for Ireland the nature of the official Reports made by the Civil and Military Authorities who investigated the recent rioting at Kinsale, and of the Complaints made to the late Government as to the conduct of the Antrim Regiment of Militia, when stationed at Carrickfergus, on or about July, 1858; and also what steps will be taken with regard to the Antrim Militia in consequence of their recent or of their former conduct.

Mr. J. D. FITZGERALD (in the absence of Mr. Cardwell) said, that it appeared from inquiries that had been made, that prior to the 10th of July last the conduct of the regiment in question had been creditable and soldier-like, but on that day some unfortunate disputes occurred between either a soldier or some of the soldiers of the regiment and some civilians, in the town of Kinsale, and on the 12th of July a party of the artillery, in coming up the street of Kinsale, attacked a Roman Catholic clergyman, and the consequence of that attack was that a riot took place in the town of an apparently formidable character, and it lasted for the space of thirty-two hours. The result of that riot was that a large number of windows were broken and some injury done to property; but when all was over it was found that, whilst serious injuries had been inflicted on several men of the regiment, no serious injury had been sustained by any of the townsmen. It would, no doubt, have been better if the officer had confined his men to the barracks after the first disturbance, but the regiment had been only recently embodied, and the officers themselves had but very limited experience. Immediately after the occurrence the regiment was ordered from Kinsale to Cork, where it was kept during the inquiry; and with regard to the future he understood it was to be removed to England. With respect to the conduct of the constabulary on the occasion, they obeyed strictly the orders which they received from the local Justices of the Peace, and no fault was attributable to them. As to the conduct of the Antrim Militia while they were at Carrickfergus, it was true that a disturbance did occur at Carrickfergus on the 16th of August, 1858, but it was of no great importance, and it took place on the day on which the drill of the regiment terminated, when they were about to be disembodied, and no serious consequences resulted from the affair.

MARYLEBONE WORKHOUSE.

QUESTION.

Mr. HANKEY said, he wished to ask the President of the Poor Law Board if his attention has been directed to the Address of the Inspector of Metropolitan Workhouses to the Directors of the Poor of St. Marylebone, delivered on the 11th of July, 1857, to which no reply appears to have been given.

Mr. C. P. VILLIERS said, in reply, that his attention had been directed to the Address, and that no reply had been made to it. The facts of the statement, however, had not been denied by the Directors of the Poor of Marylebone, and he understood that great improvements had since taken place in the ventilation and area of the workhouse.

TAXING MASTERS.

QUESTION.

Mr. BRADY said, he would beg to ask the Secretary of State for the Home Department why the Returns, ordered on the 29th day of July, 1858, "of the number and the names of the Taxing Masters of the Court of Chancery in England; of the several Clerks in their offices, and the dates of their several appointments; and Statement of the duties of each, the hours of their attendance, the salary paid to each, and the authority under which paid," has not been made? And why, as the Act 5 & 6 *Vict.*, c. 183, s. 9, fixes the salary of the Clerks in the office of Taxing Masters at £250 a year, and the Act 15 & 16 *Vict.* c. 40, raises such salary to £350 per annum, some of such Clerks are paid £120 a year only, and on what authority has the provision of the last-mentioned Statute been departed from?

Sir GEORGE LEWIS said, the order for the Return referred to by the hon. Gentleman had been made so near the end of the Session that there was not time to comply with it, and it never had been renewed, as it ought to have been, after the assembling of the new Parliament. If the hon. Member would repeat his Motion, the particulars asked for would be furnished. With regard to the second question, the Act alluded to fixed the salaries of the Chief Clerks in the Taxing Office at the sums the hon. Gentleman had mentioned; but there was also another class of clerks in the same office, whose salaries were not specified in the Act, but were fixed by the Lord Chancellor at £120 a year.

TREATY OF VILLAFRANCA.

QUESTION.

Mr. BAILLIE COCHRANE said, he would beg to ask the noble Lord the Secretary of State for Foreign Affairs whether, before the House is prorogued, he will lay on the Table of the House all the correspondence that has passed between the noble Lord and Lord Cowley and Sir James Hudson since the Treaty of Villafranca?

Lord JOHN RUSSELL: I think, Sir, it would be very unadvisable to lay these papers on the Table. They all relate to negotiations now going on, and their presentation had better be deferred till they can be produced before Parliament in a complete shape.

CHARITABLE TRUSTS ACTS CONTINUANCE BILL.

COMMITTEE. THIRD READING.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. NEWDEGATE rose and said, the hon. Member for Cork has questioned my right to appear here as the advocate of the Roman Catholic laity. I beg to tell the hon. Member that I appear here, not only in my character as an Independent Member, but as representing on this question the opinions of the hon. Member for Gateshead (Mr. Hutt), who has presented to this House a petition from the Roman Catholics of the north of England, praying for access to the Courts of this country—in fact, for protection against the authority usurped by Cardinal Wiseman in interfering with their charitable endowments. The hon. Member for Cork, whilst pursuing the other night a course which was distasteful to the majority of this House, said, when they objected, that he thought that they had forgotten him. Sir, I beg to say that I have not forgotten the hon. Member for Cork. I have sat in a previous Parliament with him, and I remember him as one of the ringleaders of a small section of Roman Catholic members who abused the forms of this House for months in the year 1851, until the House had seriously to consider whether such conduct was compatible with its own free action. I have also to state, on the part of the hon. Member for Gateshead, that he endeavoured to negotiate with the hon. and learned Member for Dundalk (Mr. Bowyer) on this subject, and that the hon. and learned Member promised to produce a Bill which should satisfy those petitioners, but he appears to have used the opportunity simply to delay all action on our part for their defence. Three days were thus lost, and the object of the hon. Member for Dundalk is probably accomplished by his having delayed this proceeding until the House has scarcely Members enough left to perform its functions, and until the hon. Member for Gateshead is unavoidably absent. The hon. Member for Gateshead concurred with me, that under existing circumstances there was no course to be pursued for obtaining the justice which these petitioners have a right to claim, but that which I now adopt, of resisting the further progress of this Bill, and thus affording effectual protection to these petitioners by leaving the Roman Catholic charities under the jurisdiction of the Charity Commissioners and the Court of Chancery; being fully assured that if any attempt should be made to disturb those charities under the law against superstitious uses Her Majesty's Government and the Attorney General will extend to them the protection which is their due, until the House reassembles, when we shall be in a position to reconsider some such measure as the Government recently laid upon the table, but which they have since unfortunately withdrawn. I give the Government full credit for having been the first Government that have attempted to grapple with this question since 1853. They deserved the thanks alike of the Roman Catholic laity, of this House, and the country; but I do lament the weakness which induced them to withdraw their Bill, because I happen to know that, although obstructions might have been thrown in the way of the Bill by the Roman Catholic Members of this House, a great body of Members on this side of the House were prepared to give it full and fair consideration, with the earnest desire to extend to these petitioners the protection which they seek. The position of the petitioners is this: Ever since the year 1851 they have made complaints to this House, and they have given evidence before Committees of the House, that the fact of their being precluded from appealing to the Courts of this country has led to gross abuses in the administration and appropriation of their charitable trusts. There is evidence in existence of persons having been induced upon their death-beds to alienate the remainder of their property to the purposes of the Roman Catholic Church, to the serious injury of their families, having previously given to that Church the greater part of it, while their natural heirs remain without the power of appealing to the Courts of Equity. There is evidence in existence that priests who have built chapels out of their own funds, have, by the arbitrary measures of Cardinal Wiseman and his bishops, been suspended from their functions, and have by this means been rendered incapable of deriving from their investments that support, which they naturally expected to enjoy. And there is now before this House a petition from the most respectable Catholics in the north of England, in accordance with the evidence given by these same persons, to the effect that their endowments are so much under the authority of Cardinal Wiseman and his bishops that they fear those endowments will in the end be alienated altogether from the purposes for which they were intended. Knowing the exertion which is required on the part of Roman Catholics to appeal to this House, under the threats which are held out against them; and this, too, is in evidence.—[Mr. BOWYER: No, no!]—it is in evidence before the Mortmain Committee; knowing the courage which is required on their part to appear as petitioners in this House, I say that this House will abandon its functions if it any longer leaves them without redress. I grant that if this Bill only continued a suspension of the operation of the Superstitious Uses Act, it would have met the necessities of the case, and I would have supported it; but it not only does that, it also practically suspends the action of the law of this country in reference to this subject. It precludes all application to the Charity Commissioners or the Court of Chancery; and therefore, I say, that this latter portion of the Bill is absolutely mischievous. What I want the Government, then, to do, is to introduce a Bill merely to suspend the operation of the law against superstitious uses. Such a measure as that should have my cordial support, because it would leave the petitioners free to approach the courts of this country, and receive the protection they request. In 1851, the country was made to feel the effects of the Papal aggression, and this House passed a Bill which, although a protest against that aggression, and so far an advantage, totally failed to meet the necessities of the Roman Catholics or the temporal aggression which was then perpetrated upon the country. Look at the position of Cardinal Wiseman. He came here as the archbishop of a see, the title of which he is forbidden by law to assume. He came here as a cardinal—that is to say, as a Privy Councillor of the Papal Court, and he exercises functions which supersede all right on his part to consider himself a British subject. In fact, by accepting the office of Cardinal he has abdicated his title to be considered one of Her Majesty's subjects. I can adduce the highest evidence to prove that when a man accepts those functions he becomes the privy councillor and temporal agent of the Court of Rome. Now, if any Members like to deny that statement, I can refer to the proofs which were adduced by the hon. Member for Surrey and myself in 1851, and which stand recorded in *Hansard,* and, if necessary, further evidence can be adduced. Cardinal Wiseman is here also as legate *a latere.* [Mr. BOWYER: No, no.] Why it is so declared in the documents which Cardinal Wiseman has himself issued to the Roman Catholics of this country, and which have been published in all the newspapers. Especially in his *Appeal* he declared that he was instituted most formally, first in a private consistory, afterwards publicly; and that then, by a third ceremony, he was invested with the hat, which is the symbol of his dignity. A Cardinal Priest is *virtute officii* a legate, when absent on a mission from Rome. The hon. and learned Gentleman may attempt to laugh, but these facts have been before the public for the last six years on the authority of Cardinal Wiseman himself; and I say that it is contrary to international law, to the laws of this country, and to the usage of every country in Europe, that a Legate, who is an Ambassador from a foreign Court, should be resident here without being accredited to the Court of St. James, at which no Roman ecclesiastic can be received under the Diplomatic Relations Act—I say that it is contrary to law that this foreign temporal agent should be resident here and allowed to exercise a jurisdiction over a large portion of Her Majesty's subjects. I say more, that to permit this is contrary to the oath which every Member of this House has taken; and I do earnestly call upon the House to vindicate the national independence from this aggression. I call upon the House not to pass a Bill which we have it proved in evidence affords scope for the exercise of functions which are derogatory to the Crown, and an infringement of our national independence. I ask you not to ignore the prayer which these Roman Catholic petitioners have had the courage to present to you; for that when Her Majesty's Roman Catholic subjects approach you, you should at least abstain from excluding from the jurisdiction of their native countrymen who are suffering under a tyranny to which we may, as Protestants, regret that they submit, but which we know, that they, as Roman Catholics, cannot always resist. Let the House suppose a case such as this, and there are such cases. Some ancient family has long possessed an estate and a manor-house, to which a chapel and an endowment are attached. The priest of the chapel, nominated by them, is their confessor. Cardinal Wiseman, through the weakness of some member of the family, grasps the endowment, ousts the priest nominated by the family, and thrusts upon them a new and probably a Jesuit confessor. Is not this persecution? Or take the case to which I alluded, of the priest suspended from the chapel which he built. When we have evidence that families are injured by the influences which are brought to bear upon the heads of those families; that trusts are misappropriated, and that this ambitious Cardinal Legate claims the right to dispose of the whole of this property, and in recent documents has boasted of the application of that property in a manner contrary to law—I say it is no trifling matter. Year after year the same tactics have been pursued. At the close of every Session since 1853, when the House was empty, behind the back of Parliament, these Exemption Bills have been slipped through. The case increases in gravity as time goes on. Cardinal Wiseman boasts of the great extension of Roman Catholic trust property subject to his command. He boasted of the increase in the establishments of the religious orders of the Church of Rome. He boasts of the increase of convents and of monasteries, of the increase of chapels, and of the number of priests; and let not the House forget that the reasons for the aggression which he stated in his "Appeal" were, first, that there were no means of convening a Roman Catholic synod in this country; and that there were not sufficient establishments of the regular orders to enable him to enforce the canon law according to the decrees of the synod, over which he has complete control; and thirdly, that there were no means of effecting a parochial division of this country for its more effectual government by the foreign power which he represents; and he explains that the aggression was committed to effect these objects, that is, to establish his usurped authority. In 1839, a petition was presented to the Pope at Rome by certain English Roman Catholics, praying that the free system of canon law, which has existed in this country for ages amongst the Roman Catholics, might not be broken up. Again, in 1847, communications were made to this country by Roman Catholic priests, that a movement was going on in Rome, under which, if accomplished in the form in which it has been carried out by the Papal aggression, the power of Cardinal Wiseman as legate would deprive the English Roman Catholic priests of the local endowments they held, and subject them to his arbitrary dictation and control. Sir, it is derogatory to this country in the eyes of Europe, that we should have our laws superseded by an intrusive authority, which comes here contrary to international law and our own laws. What must the Roman Catholics of the Continent think of us Englishmen, when they hear that the Roman Catholic laity and several priests petition this House for relief from this oppression, and this House suffers itself to be wearied into subjection by some thirty of its Members, who take every opportunity of abusing its forms, and who boast, through the Roman Catholic papers, that they hold this House in subjection. I ask the House, then, in deference to its own character, to show that it can and will act, not in a spirit of oppression, but in a spirit of protection towards those persons; that it will act upon the conviction of the House of Lords in 1853, that those charities ought not to be exempt; and that it will revert to its own decision of 1853, when it passed the second reading of the Charitable Trusts Act without the exemption which is now proposed to be continued. In this I am pursuing the course which was adopted by my noble Friend Lord Chelmsford in 1853; and I feel it my duty to tell the Government that, although I was perfectly ready to support the Bill of 1853, and to support them in suspending the operation of the law against superstitious uses, I am determined to oppose them, if they endeavour any longer to exempt this property from the jurisdiction of the laws of England, or longer to refuse the relief which these petitioners claim at our hands. Depend upon it that the power, which Cardinal Wiseman exercises in this country needs control. As Vicar Apostolic, he was the first Prelate of the Roman Catholic Church to establish the Jesuits in this town and diocese. We have to thank him for that. History contains abundant records of the ambition of that order, and of their interference with the temporal and political affairs of various States; they are not merely a religious order, they are a temporal organization also; and the proof of it is that such has been their interference and intrigue, and such the tyranny and confusion created by them, that they have been forty times expelled from different States of Europe. And depend upon it, when we see all that is moving on the Continent, if we are not blind to what is passing around us, we shall be wanting in our duty should we suffer this foreign intrusive authority to defy the laws of England, and inflict further injury upon Her Majesty's Roman Catholic subjects. I therefore move as an Amendment, that the Bill be committed this day three months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day three months, resolve itself into the said Committee," instead thereof:—

Mr. SPOONER seconded the Motion.

Mr. Newdegate

Mr. HENNESSY said, the question before the House was a very simple one, and did not require the importation of the historical and theological elements which the hon. Gentleman had mixed up with it. According to the existing law certain Roman Catholic Charities and Charitable Trusts would be forfeited if they were brought under the cognizance of the Charity Commissioners. To prevent that forfeiture the Earl of Derby had recommended, a few nights ago, "in another place," that the Government should introduce a Bill of exemption for one year. Acting on that suggestion, the Government had introduced that Bill, the sole effect of which was to protect from confiscation under penal laws that were still unrepealed, and which all allowed to be bad, property which had been bequeathed by pious Roman Catholics for religious and charitable uses. He, therefore, declined to enter into the character or conduct of the distinguished Prelate whose name the hon. Member who preceded him had so unnecessarily introduced.

Mr. BOWYER said, that in his opinion the House could not, without committing a gross injustice, refuse to assent to the Bill. He might not, perhaps, be able to convince the hon. Member for Warwickshire of that, because that hon. Gentleman lost no opportunity of showing the most perverse bitterness and hatred against the Roman Catholic Church and its professors. The hon. Gentleman had that evening appeared in a new character. He declared he was acting for the protection of certain Roman Catholics, but he (Mr. Bowyer) believed that there was not one Roman Catholic in England, Ireland, or Scotland who would not at once repudiate his protection. The hon. Member spoke as if he were the advocate of the Roman Catholics, and yet his speech teemed with all the misrepresentations, calumnies, and rubbish which had been spoken, as well as written, for years and years against the Roman Catholic Church. He had most unnecessarily introduced the name of Cardinal Wiseman, who had nothing whatever to do with the matter before the House. The disrespectful introduction of the name of that illustrious Prelate into the discussion was offensive, not only to all Roman Catholic Members but also to sensible and gentlemanlike Protestants. The hon. Member had calumniated that illustrious person, and spoken of him with a bitterness which only reflected discredit upon himself. The simple question before the House was whether they should prolong the suspension of a statute, which, if it were not suspended further, would have the effect of confiscating the property of Roman Catholics which had been devoted to charitable and religious purposes. The hon. Gentleman said the Attorney General could interpose to protect Roman Catholics from such confiscation, but that hon. and learned Gentleman had no power to interfere with the operation of the Trusts Act, which gave very extraordinary powers to the Commissioners. He (Mr. Bowyer) wished to explain that the apparent delay which had arisen in his presenting a draught of the Bill, which he had promised to show to the hon. Member for Newcastle (Mr. Hutt) was owing to the care with which it had to be drawn up. In proof of that he might mention that he had thought it necessary to entrust the preparation of the Bill to Mr. Henry Stonor, the eminent Roman Catholic conveyancer, and he had settled it with Mr. F. Riddell. He (Mr. Bowyer) had done more than keep his promise to bring in a Bill next Session; a notice was standing in his name for leave to bring in a Bill that day, which he hoped would be printed in a few days for consideration during the recess. He denied emphatically the imputation thrown out by the hon. Gentleman behind him (Mr. Newdegate), that he (Mr. Bowyer) had acted for delay. Under these circumstances, he asked the House to pass this continuance Bill, the only object of which was to prevent a great confiscation of property and a gross injury to the Roman Catholic Church. The speech of the hon. Gentleman was one of the bitterest and most calumnious that he (Mr. Bowyer) had ever heard in a public assembly. It would be very easy for him to point out the errors and absurdities into which the hon. Member had fallen, and to show that the statements of the hon. Member had no foundation in fact.

Mr. VINCENT SCULLY said, he thought these religious discussions in the House of Commons were exceedingly disagreeable. He did not accuse the hon. Member for North Warwickshire of bitterness and hatred towards the Roman Catholics, but rather of too warm an affection, which induced him perpetually to meddle with their affairs. He thought, however, that the hon. Gentleman would do well to confine his attention more strictly to matters connected with his own Church, where he would find abundant room for improvement, rather than attempt to interfere with members of a community with whom he could have no weight whatever. The hon. Gentleman had spoken of a Roman Catholic prelate as a pseudo-bishop. [Mr. Newdegate: I spoke merely of the pseudo-bishop of South Wales.] He did not wish to take offence at the epithet, but he questioned whether its use was consistent with courtesy, or calculated to advance the influence of the hon. Member's opinions.

Mr. KINNAIRD stated that a Petition on the subject had been presented by the hon. Member for Gateshead (Mr. Hutt), signed by a large number of Roman Catholics in the north of England, who were as much opposed to this Bill as the hon. Member for North Warwickshire. He most earnestly protested against such perpetual trifling with so important a question. He was very far from blaming the Roman Catholics for seeking to delay in that House the settlement of the question, but he deprecated a sacrifice of principle on the part of the Government for party purposes. So far from strengthening themselves by so doing, he believed it would have an opposite effect. The noble Lord the Secretary for Foreign Affairs when, in 1853 the Roman Catholics were exempted for two years only from the operation of the Charitable Trusts Act, distinctly stated that the provisions of that Act ought to apply to Roman Catholic as well as Protestant charities, and that he only wished to postpone its operation in the case of the former, in order that a Bill might be introduced which would provide against the confiscation of such charities. This was in 1853; and now six years after they have again asked to postpone the consideration of any such Bill, though four successive Governments had distinctly pledged themselves to bring in a Bill to settle the question. And at the close of the last Session, when a continuance Bill similar to the present was introduced the right hon. Gentleman the late Home Secretary distinctly stated that it was for the last time. He would ask why the right hon. Baronet the present Home Secretary had given up his own Bill? That Bill had been suddenly dropped and a Bill introduced into the House of Lords which they were asked to pass at this late period of the Session. He entirely concurred in the opinion that those who were interested in Roman Catholic charities had committed a mistake in claiming exemption for them from the laws which ought to affect all classes of the community equally.

Sir GEORGE LEWIS said, he must decline to follow hon. Members into the controversial part of the question. He had only one remark to make as to the expression which had fallen from the hon. Member for North Warwickshire, upon what he was pleased, by a singular metathesis, to term the "speudo" bishop of South Wales.

Mr. NEWDEGATE: I did not speak of a pseudo bishop; I only said that the Bishop of New South Wales was a pseudo title.

Sir GEORGE LEWIS: At any rate, the hon. Member was speaking of orders in the Church of Rome; and, of course, it was well known that orders of the Church of Rome were recognized by the Church of England. He would merely notice that point, and abstaining altogether from crimination or recrimination on this subject, confine himself to a few words, in which he would endeavour to explain and vindicate the course taken by the Government; and further venture to make a few remarks as to the future prospects of this question. The hon. Member for Perth (Mr. Kinnaird) had complained of the conduct of the Government, and had intimated his intention of using all the forms of the House for the purpose of defeating the Bill. He begged, however, to draw the hon. Member's attention to what had been the course pursued by the Government, and what had been laid before the House. He would also remind him that although many Governments had made promises, he (Sir George Lewis) was the first person who had attempted to deal practically with the question. He had introduced a Bill, but owing to circumstances to which it was unnecessary to advert, it was not submitted to the House until a late period of the Session; and as he found that those whose interests were principally affected by it entertained strong objections to its provisions, and as at this time it was impossible that it could receive due consideration in the other House, he had come to the conclusion that the best course would be to withdraw the measure, and to renew the continuance Bill; but at the same time he gave a distinct pledge that he would, early in the next Session, lay upon the table a Bill similar in effect to that which he had proposed this year, with the view of obviating for the future this exceptional legislation. He trusted the House would consider this explanation satisfactory. And he would merely add a few words as to our procpect of legislation in future. The Bill which he had introduced was founded on a petition presented by several Roman Catholics of great weight and respectability in the north of England. The hon. and learned Member for Dundalk said that that Bill did not represent the prayer of the petition, but he (Sir George Lewis) was under the impression that it did fairly represent it. However, he would not go into that question now. It certainly had furnished a groundwork for discussion; and having the advantage of that Bill to proceed upon, and the subsequent suggestions of hon. Gentlemen, he thought the House would be in condition next Session to approach the question with a much better chance of its settlement than had yet been afforded.

Mr. SPOONER said, he could assure the hon. and learned Member for Dundalk (Mr. Bowyer) that the Roman Catholics need fear no attack on their property by the Protestants; but the Protestants were determined to have no more Continuance Bills, and to bring the Roman Catholic charities under the beneficial operation of the general law. Why was every other class of Her Majesty's subjects to be under the control of the Charity Commissioners and the Roman Catholics alone exempted? He believed that it would be beneficial to the Roman Catholics themselves if all their trusts were brought under the operation of the general Act. His hon. Friend and Colleague had been blamed for his language and his bitterness against the Roman Catholics. He felt no such bitterness; but he felt, and he (Mr. Spooner) also felt persuaded at this time there was a foreign interference with the Roman Catholics of this country which it behoved the House of Commons to put a stop to. Dr. Wiseman was not acting as an Englishman, but under foreign dictation; and when his Friend alluded to Bishops of the Roman Catholic Church it was not to Bishops in their own Churches but to Bishops illegally assuming dioceses in this country; and, in his (Mr. Spooner's) opinion, both the present and the late Attorneys General had neglected their duties, and ought to be impeached for not taking steps to prevent the breach of the law, which was of constant occurrence, by the description of Roman Catholic Bishops in handbills and placards as Bishops of Manchester, Liverpool, Birmingham, and other places, and the Bishops appearing in the places and at the times so notified in those placards. The Roman Catholics were not included in the Charity Trust Act at their own request, and the exemption was granted for two years under the plea that there existed some difficulties in the application of that Act to Roman Catholic Charities; but a Bill was promised to remedy those difficulties. Year after year the same plea was urged and the exemption continued for one year; this year a Bill has been brought in by the Government, and the Roman Catholics opposed the Bill, and at the present state of the Session it was impossible to give full consideration to the measure. They again ask for a Continuance Bill which, if granted, will only lead to the same results at the end of the next Session. Every year during the last six years the House had been told that next year the subject of the Bill before the House should be settled; and not seeing a reason why a large portion of our fellow-subjects should be excluded from the beneficial operation of the Charitable Trusts Act, he would oppose the passing of the Continuance Bill to his utmost. As long as they renewed these Continuance Bills the Roman Catholic Charitable Trusts would never be brought under the control—and a beneficial control it was—of the Charity Commissioners.

Mr. O'BRIEN said, he trusted that no hon. Member would oppose the universal opinion of the Roman Catholics who were to be dealt with under this particular Bill.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 70; Noes 47: Majority 23.

Main Question put, and *agreed to*.

House in Committee.

Mr. NEWDEGATE said, he wished to inquire whether the Government would substitute for the first enactment of the Bill a clause suspending the operation of the Superstitious Uses Act, which would bring the whole of the Roman Catholic Charities under the jurisdiction of the Charity Commissioners? If the Government meant to deal effectually with this question and avoid embarrassments in another Session they must have the general law on their side, not the exceptional, otherwise Cardinal Wiseman, who regulated the conduct of a large number of Members of the House, would continue his rule. If the Government would suspend the operation of Superstitious Uses Act, and leave to Roman Catholics after the 1st of September the opportunity of having their causes fairly tried before the tribunals of the country, the question would be settled.

Sir GEORGE LEWIS said, if the Government acceded to the recommendation of the hon. Gentleman, they would have to begin *de novo*, for the title of the Bill would have to be altered. It seemed to him better that they should follow the precedent of former years and merely suspend the operation of the Charitable Trusts Act for a limited time longer.

Mr. BOWYER said, he wished to state that hon. Members had an impression that the effect of this Continuance Bill would be to prevent the Court of Chancery from exercising any jurisdiction over Roman Catholic charities. That was not so. At the present moment all Roman Catholics might proceed in the Court of Chancery in reference to Roman Catholic charities, but in that Court the Attorney General must be a party, and that fact protected the property from forfeiture under the law of superstitious uses and under the Enrolment Act. The Charity Commissioners, however, had powers much stronger and more summary, and amongst others that of investigating the whole matter relating to any charity without the assistance of the Attorney General or the Court of Chancery. The effect of this Bill not being passed would, therefore, be that these Commissioners, in performing their duties, would be obliged to declare these charities forfeited.

Sir GEORGE LEWIS said, that he desired to state that it was his intention to propose to alter the month mentioned in the Bill from September to July, as being the limit of the operation of this measure. It was originally July, but was altered in the Lords.

Mr. NEWDEGATE said, if the proposition which he had made were adopted, there would be no reason why all Roman Catholic charities should not be brought within the operation of the general law. The object of this opposition on the part of the hon. and learned Member for Dundalk was to prevent malversations in regard to Roman Catholic charities being discovered. It was desired to keep these things in the dark, but he would impress upon the Government and the House that they should all be inquired into.

Mr. KINNAIRD said, the right hon.

Gentleman the Secretary for the Home Department had now adopted the suggestion which he (Mr. Kinnaird) made, but which the right hon. Gentleman at first refused. He was glad the division had taken place, however, because it would draw the attention of the country to this subject.

Mr. DARBY GRIFFITH said, he hoped that next year all the powers of the Charity Commisssioners, which were very large, would be taken into consideration, and that they would not be permitted longer to make schemes behind the backs of persons, and in a clandestine manner.

Mr. SPOONER said, he would not further oppose the Continuance Bill if it were limited to the 1st July next.

Amendment *agreed to.*

Bill passed through Committee.

House resumed.

Bill *reported,* with Amendments; as amended *considered.*

Sir GEORGE LEWIS observed, that as it was necessary to send the Bill back to the Lords, perhaps the House would allow it to be read a third time and passed.

Bill read 3° and *passed.*

DIVORCE COURT BILL.

COMMITTEE.—THIRD READING.

Order for Committee read.

House in Committee.

Clause 1 *agreed to.*

Clause 2,

Mr. EDWIN JAMES said, he would move to insert after the words "Judge Ordinary alone," the following:—

> "Providing always, that such Court does and shall hold a sitting for the disposal of the business of the said Court for not less than two consecutive days, at the least, once in every fortnight from the 2nd of November to the 10th of August in every year, except during the periods allotted for the attendance of the Judges upon their circuits, or for the ordinary vacations."

The ATTORNEY GENERAL said, he concurred in the object of the hon. Mover of the proviso, but he doubted whether fixing a *minimum* would not be to impair rather than increase the stringency of the clause. By such a course they might ensure the attendance of the Judges would not go beyond the *minimum* fixed.

Amendment *withdrawn.*

Clause *agreed to,* as was alse Clause 3.

Clause 4. (Extending the operation of the Act to Ireland.)

Mr. Kinnaird

The ATTORNEY GENERAL said, the clause had been inserted by the Lords, and he moved that it be expunged.

Mr. DARBY GRIFFITH said, he objected to legislation which did not apply to the whole empire.

Mr. Serjeant DEASY said, that if this clause of the Bill was agreed to, extending as it did the operation of the Act to Ireland, it would be most objectionable, not only to the Roman Catholic but also to the Protestant portion of the population of that country. Another objection to the clause was, that it would be introducing into Ireland the operation of a foreign tribunal, as it would enable parties contracting a marriage in Ireland—where the marriage contract was indissoluble, by transferring their suit to London, to obtain a divorce. The clause, moreover, would be an interference with the regularly constituted tribunals in Ireland.

Mr. BOWYER said, he trusted the Government would throw aside all thoughts of extending the Divorce Court to Ireland, as such legislation would be entirely contrary to the feelings of the people of that country.

Mr. VINCENT SCULLY said, that the feelings of the women ought to be consulted in this matter as well as those of the men. He did not believe the Divorce Court was in conformity with the wishes of the women of England, and he thought the House ought to retrace their steps and abolish the system altogether.

Clause *struck out.*

Clause 5, (Authorising the Judges to hold their sittings in private.)

Mr. EDWIN JAMES said, that clause would establish a dangerous precedent. The Judges in these days were incorrupt and incorruptible; but still it would be unwise to remove them from that salutary influence of public opinion and public responsibility to the operation of which publicity was indispensable. In the trial of Horne Tooke, Lord Ellenborough ordered that no evidence should be published *de die in diem,* and Mr. Perry, of the *Morning Chronicle* published notwithstanding, and was committed by the Judge. But even that was a different state of things from a Court sitting in private. Such a principle, however, was wholly alien to the spirit of our law, the only approach to it being the practice adopted by the Court of Chancery in certain exceptional cases of holding sittings *in camerâ.* That departure from the ordinary rule by no means worked so satisfactory that they were called upon to give it any greater extension. On the trial of Palmer, Lord Campbell expressed a hope that no remark in the shape of editorial comment should be made till the trial was over, and the press acquiesced, and there were no remarks made that could prejudice the case or influence the jury. There were titled defendants and men of property who would give thousands to have their cases heard with closed doors and to the exclusion of the press. To close the Divorce Court would only be to create a prurient curiosity on the part of the public to know the details of the trials; and there would exist this anomaly—that while that Court was closed the police Courts would still publish their disgusting details. He remembered a Committee up-stairs sitting with closed doors; and what was the result? A garbled account of the proceedings appeared in every newspaper in England. If the Divorce Court were closed, the representatives of the press might be excluded, but the attorneys, the attorneys' clerks, and other persons more or less connected with the proceedings, must be present; and it would be impossible that disgusting details should be shrouded in secrecy. The consequence would be that reports would be published in newspapers without the responsibility secured by the presence of the recognized reporter. Besides, it was better to trust to the good sense of the community, and the good taste of the conductors of the public journals, than to arm our Judges with an arbitrary power like that recently exercised in France in the trial of M. de Montalembert. And, at the very worst, it would be wiser to run the risk of some indecent details creeping out than to shake that general confidence in the administration of justice which was engendered by surrounding our Judges with an atmosphere of publicity.

THE ATTORNEY GENERAL said, the whole principle of this enactment was publicity; and the question simply was, whether a greater amount of public justice would not be attained by the introduction of the exception to that general rule contained in this clause than without it. The hon. and learned Gentleman seemed to think that the object was to prevent the publication of details. He the (Attorney General) was willing to admit at once that the clause had been framed for the sake of public decency; but when he had explained the reasons for its introduction, he was sure the Committee would perceive that it had been brought forward for the purpose of preventing that denial and refusal of justice which arose in many cases in consequence of the present constitution of the Court. He regretted to say that the court was a place of resort—according to the accounts that were given to him—of characters of the worst description. Crowds congregated there for the purpose of hearing details which could only give gratification to depraved and diseased minds. That very court, so attended, was the place to which women suffering under the most cruel wrongs were compelled to have recourse for redress. One might well imagine a lady of sensitive feelings, and under the distressing necessity of seeking the redress of her grievous wrongs, shrinking from having recourse to a tribunal where she would have to relate the story of her husband's cruelty in the presence of a jeering, laughing, and prurient mob, eager to catch at every indecent particular. It was such a painful accompaniment to her appeal to the open Court as that which he had but too feebly described which deterred many injured and deserving persons from applying for its aid, and which therefore operated in certain cases as a practical denial of justice. He had himself heard of cases in which persons, for the purpose of compelling a compromise, or accomplishing some particular end, had refused to assent to a private hearing; and if the counsel had not manifested a better spirit, in many instances the greatest injury would have been inflicted upon innocent individuals in consequence of the necessity for this publicity. Moreover, in some instances, the greatest profligacy—nay, crime—might have to be brought forward in the Court, for the purpose of enabling the parties to a marriage to obtain a divorce, and the publication of those details might involve the most cruel and lifelong injury not only to the parties to the suit, but their innocent and unhappy children. Surely, then, the Committee would hardly say there could by any possibility be the slightest harm in such cases as that of arming the Judge with an authority to determine whether the case should be heard in public or not. It was not that the case was heard in private. There were present in court, the bar, solicitors, and a jury—a sufficient number of persons to prevent the occurrence of those evils the hon. and learned Gentleman seemed to dread. He freely admitted the necessity of publicity of the proceedings of the courts of justice, and he did not mean to ask for any authority that would in the slightest degree detract from that rule, except it were necessary for the attainment of public justice. But in a great number of the cases that came before this Court, it was impossible to hope the sufferers could ask or obtain justice if they were compelled to seek it in the manner in which only they could now do so. This clause had been suggested by the learned Judge who presided in the court as the result of his experience of its working. The Committee were aware that for a length of time the public had been complaining of the evil influence of the publication of the evidence taken in the Court. He did not mean to put the necessity of the clause entirely on that ground. He himself was much more affected by the fact that in consequence of the present system there was, in many cases, a perfect denial or refusal of justice; and that persons would not seek it if they had to go through the ordeal they had at present to pass. This power was to be entrusted to the discretion of the Judge, whose duty was merely to preside when a jury was present to give their verdict upon the evidence sworn to before them. He thought, therefore, the interests of humanity, the interests of justice, the interests of public decency, all required that in a tribunal of this kind there should be an exception to the general rule, such as that embodied in this clause. He might mention one case in which, on an accusation against the husband, the interests of the children were involved to such an extent that, had the charge been made in public, all their prospects in life would have been for ever blasted. In that case the Judge, with consent, exercised the power of hearing the case in private. All this clause asked was to give that discretionary power to the Judge wherever he thought the interests of justice demanded. He had not the slightest doubt it would be well and wisely exercised, and that it would tend greatly to enhance the usefulness of the Court; and he hoped, therefore, the Committee would accept the clause.

MR. AYRTON said, the learned Attorney General had made out a very ingenious case of special hardship arising out of the existing practice; but there was no principle of law from the inflexible operation of which the wit or the imagination of man could not conjure up some small modicum of inconvenience to individuals. They were asked to enter upon a course of legislation, which, if it were sound, could not be confined to this particular tribunal, but must be extended to the whole administration of justice in the country. For if the principle of trial with closed doors was right in the case of the Divorce Court, it would be also right in the rest of the civil and even in the Criminal Courts, whenever evidence of an objectionable nature was to be adduced. The hon. and learned Gentleman said that persons attended the Divorce Court to hear the disclosures merely for amusement, but at present the Judges of our different tribunals could order all females and young persons out of court when cases unfit for them to hear came on, so that only male adults remained; and could it be supposed that many of these were of the depraved frame of mind which had been suggested? Would the Committee then modify a great principle of law to meet a small modicum of inconvenience. The clause was really to enable the Judge to exercise a censorship over the public press, in so far as they chose to report the proceedings of the court. A century and a half ago Parliament and the nation repudiated the idea of a censorship over the public press; and were they prepared on nearly the last day of the Session to reverse that policy, and to take the first step in the opposite direction? He thought that the correction of any abuse in connection with the press might safely be left to the general sense of the community, and of those who conducted the public journals. As far as his own observation extended he saw nothing in the conduct of the public press with regard to the Divorce Court which led him to wish for an alteration of the law; but at any rate, before they took the step proposed, they ought to have a strong body of evidence to show that the press had forgotten its duty to society, and systematically abused the opportunities it possessed for publishing reports. But he saw no trace of misconduct on the part of the public journals; on the contrary, he thought that with regard to all trials of this sort they conducted their publications with great judgment, with great tact, and with great advantage to the community. And what was the result of that publicity? No doubt in particular cases it operated very inconveniently to suitors; but he arrived at a totally different conclusion from that of the hon. and learned Gentleman as to its general effect. The Court undertook to investigate chiefly the conduct of husbands towards their wives, and he could conceive no more salutary influence than this very publicity must exert when held *in terrorem* over a tyrannical husband. The conviction that his cruelty, though perpetrated in domestic privacy, might be dragged to light, and made to bring upon him the scorn and reprobation of all right-minded men must have a beneficial effect in promoting the very object for which that Court was instituted, which was not to encourage applications for divorce, but to repress the marital misconduct out of which those applications arose. On the other hand, he thought that secrecy would tend to encourage domestic vice and domestic immorality, and would be of no advantage to the court, because persons would know they could go there without incurring the penalty of having their misconduct exposed to the society in which they lived. Such a clause as the present one might naturally be inserted in the Bill of the House of Lords, because there were certain classes of people who did not like this publicity. He thought that it was a clause which the House of Commons, being the guardian of the morality of the people at large, and caring nothing about the distinction between particular classes, would insist upon striking out of the Bill, and he trusted that the Attorney General would give way to the sense of the country on the subject, and withdraw it from the Bill.

Mr. BAILLIE COCHRANE said, he could not but express his regret that the hon. Member for the Tower Hamlets should have thought fit to conclude his otherwise excellent speech by an unbecoming attack on "another place." The hon. Gentleman had characterized the upper classes as less moral than those below them.

Mr. HADFIELD said, it was impossible that justice could be satisfactorily administered in this country with closed doors, as the strength of our laws was in public opinion, which supported the law. The effect of the proposed clause would be to screen the powerful and rich while it exposed the failings of the poor. There were persons in this country whose names could influence the bench in granting secrecy which a poor man could not obtain. ["Oh, oh!"] He would remind the hon. Gentleman who said oh, that when a man went into a Court of Law in this country, he was on an equality with any man of any class. He hoped the House of Commons would prevent such an enactment as this.

Mr. BRADY said, the hon. and learned Attorney General had not convinced him that it was necessary to pass the clause. He wished to ask him where the line of demarcation was to be drawn between the persons who should and who should not have extended to them the privilege of secrecy. If they sanctioned the proposed violation of the law they would give rise to great discontent in the country, and at the same time lay the foundation of a system which must ultimately be extended to other Courts, and would have the effect of lowering the standard of justice.

Mr. H. BERKELEY said, he had often heard a word misapplied in that House and elsewhere—namely, the word un-English. That word, he thought, was peculiarly applicable to this clause, which was opposed to all the principles of English law. He wished to ask the Attorney General how the Judge was to be informed when a case was of such a nature as that it ought to be heard with closed doors or not, unless he were privately informed of the fact, or deferred to the station of the parties. That objection alone was fatal to the clause.

Mr. BOWYER said, he was one of those who strongly opposed the Divorce Bill, on the ground that it would be most injurious to the morality of the country. Now, after it had been in operation a short time, the Attorney General was obliged to come forward, in the name of the Government, and propose the introduction of an entirely new principle in the English law, namely, enabling a Judge to shut up his court and proceed secretly. The fact was that the proceedings in the Divorce Court had become so scandalous, and were so injurious to the public morality, that the hon. and learned Gentleman felt bound to introduce this clause.

The ATTORNEY GENERAL said, it must not be supposed that this clause was pointed against the public press. No such thing. It only pointed to the prevention of that denial of justice which the present state of things caused, which he had endeavoured to point out. The hon. Member for Bristol was mistaken in supposing that the Judge could receive information privately. [Mr. Berkeley: I did not say so.] The only communication made to him would be by counsel of the nature of the evidence, and on that statement the Judge could exercise his discretion on his own responsibility. The clause was the result of the experience of the Judge Ordinary, and at his suggestion it had been inserted in the Bill. If it were passed into law, cases would not be tried with closed doors in reality, but before the bar, and in the presence of the jury, solicitors, and parties. He was glad the introduction of this clause had been discussed, but he was sorry that some topics had been introduced, and he should have been pleased if the hon. Member for the Tower Hamlets (Mr. Ayrton) had not disfigured his speech by some of the allusions which he had made. He should also have been glad if the hon. Member for Sheffield (Mr. Hadfield) had not said that a distinction would be drawn between rich and poor in such a case. Let the House of Commons decide the question, but not on such grounds. He must give the Committee the trouble of dividing, as he could not withdraw a clause recommended by the Judge for the benefit of the suitors of his court.

MR. JOHN LOCKE said, there was a discrepancy between the argument of the Attorney General and the wording of the clause. The hon. and learned Gentleman urged it was to spare some females the pain of speaking in an open court, and thus prevent an inconvenience which often resulted in a denial of justice; but the clause gave the Judge the power to close the doors of the court whenever the interests of public decency appeared to him to require it. If the reason given with the clause were to prevail, it was obvious it could not stop at the Divorce Court; for there were many cases tried in other courts where decency appeared to forbid publication.

SIR MORTON PETO said, he hoped the Attorney General would not press the clause to a division. He had acted in perfect good faith with regard to the suggestion of the Judge of the Divorce Court. It would pain him to have to vote against the hon. and learned Gentleman.

THE ATTORNEY GENERAL said, that he was in the position of being an advocate for the clause with no one to support him. He agreed with the hon. and learned Member for Southwark, that the clause did not contain words which would carry out the object he had spoken of. The mere words, "preservation of public decency," did not refer to the point to which he had alluded. Under all the circumstances he would bow to the decision of the Committee without putting them to the trouble of a division.

Clause *struck out.*

Clause 6 *agreed to.*

Clause 7.

The Attorney General

MR. EDWIN JAMES said, he would move that it be omitted. It had been described before by the Attorney General as harmless, and he believed it would prove entirely nugatory. Its object was to provide, that where the Judge suspected collusion or fabrication in a case brought before him, he should have power to refer the petition to the Attorney General, who might examine into the matter and report. Now, he objected to this, that it was merely encouraging indolence in the Judges by transferring to the Attorney General that which the Judge himself had power to do. Whenever the Judge suspected collusion he had power to call the parties before him, and to put them on their oaths. The Attorney General had neither time nor power to do any such thing; and all that he could do would be to hand the case over to some *employé*, who might call the agents before him, and without putting them on their oaths, ask them whether there was collusion or not. This proceeding would be totally nugatory, except that it would cause additional expense and delay.

THE ATTORNEY GENERAL said, that the clause should be looked at, not as it stood, but with the power it gave the Court to make rules and regulations for carrying out its provisions. Great difficulty had been felt in cases where a dissolution of marriage was claimed on the ground of adultery, owing to many of these being undefended cases. The petitioner produced only such evidence as he thought proper, and the Court could only know anything about the case from that. It was felt that there was a danger of divorces being obtained on fabricated cases by collusion, even when adultery had not actually occurred. Hence, the proposal that some officer should be appointed to assist the Judge in such cases. The clause was intended to work thus:—Supposing a petition praying for a dissolution of marriage, to which there was no defence or any person offering opposition to the petition, it would be imperative on the Judge to refer it to the Attorney General, and the petitioner would be required to give the Attorney General particulars of the acts relied on by him in support of the allegations of the petition, and the names and residences of all witnesses and persons connected with the case since the alleged adultery was committed. In a great number of such instances, the Attorney General at the first aspect of the case would be able to detect whether it was characterized by good faith or not. But in others, a species of out-of-doors inquiry would be made by his agents. The Judge could not be properly aided or protected except by the appointment of a person who out of doors should, before the hearing of the petition, make inquiry whether the circumstances alleged by the petitioner were or were not true. This want had been greatly felt in the Divorce Court, and as the suggestion proceeded from that Court it was the result of experience. Many of the practitioners there had owned that collusion was not uncommon, and it was impossible to detect collusion without intrinsic information. In the House of Lords it was found that the communications which were made to judicial persons during the progress of a case tended greatly to elucidate the facts. A similar protection, he believed, would be afforded by this clause, which would frequently prevent the Judge from being imposed upon.

Mr. MELLOR said, that no provision was made in the clause for giving the Attorney General power to do that which it had been suggested he ought to do. It did not enable him to hear evidence on oath or to make any other inquiry than the parties chose voluntarily to submit to. Altogether the clause was so crudely framed and seemed so insufficient for the objects desired, that, unless it could be amended, he must vote against it.

Mr. AYRTON said, that he was anxious to observe that the hon. Gentleman opposite (Mr. Baillie Cochrane) seemed to imagine that he had expressed an opinion with regard to peers and other persons of distinction which he did not mean to express. What he meant to say was that peers and other persons of distinction were more sensitive to publicity than other persons. With regard to the clause before the Committee the hon. and learned Member for Marylebone had described it as perfectly harmless but perfectly useless. From the description given by the Attorney General, however, he thought it was hurtful as well as useless; for, if it were adopted, it would be necessary for the future to have, in point of fact, two suits—one before the Attorney General to find out whether there was collusion, and another before the Judge to decide very much the same facts as had been already investigated by the Attorney General. Such a double inquiry, he need hardly say, would add very seriously to the cost of the proceedings. Now, the Attorney General could not institute this inquiry himself; he must necessarily depute it to some officer, which could equally be done by the Judge. The duty which it was now sought to cast upon the Attorney General could be performed by the Judge, if he applied his mind to it. The Act of Parliament enabled him previous to the hearing of the suit to send for the petitioner and make a searching investigation into the case. When, therefore, the Judge, having exercised this power, found that he was still unable to protect the public, it would be time enough to come to Parliament for fresh powers.

Clause *struck out.*

The ATTORNEY GENERAL moved the insertion of the following clause after Clause 8:—

> "In any petition presented by a wife praying that her marriage may be dissolved by reason of her husband having been guilty of adultery, coupled with cruelty, or of adultery coupled with desertion, the husband and wife respectively shall be competent and compellable to give evidence of or relating to such cruelty or desertion."

Clause *agreed to.*

Mr. EDWIN JAMES said, he wished to move the insertion of a clause after Clause 6, empowering the Court to inquire into the existence of any ante-nuptial or post-nuptial settlement, in those cases in which a decree of nullity or dissolution of marriage was granted, and to make such order upon it for the benefit of the husband and children as they might think fit. It often happened that a wife had a handsome income settled upon her by her husband at the time of her marriage, and if she were divorced on account of her own adultery, she ought not to be enabled to live with the adulterer upon that income which she had received from the generosity of her husband.

The ATTORNEY GENERAL said, he was willing to admit the object of the clause to be a good one, and he should not oppose its introduction into the Bill if the hon. Member for Devizes (Mr. Darby Griffith) would consent not to press the clause of which he had given notice, to the effect that in every case of judicial separation, when the whole of the property which might be the subject of the marriage settlement of the parties might have been settled to the separate use of the wife, it should be lawful for the Court to order such provision by way of alimony to be made to the husband out of the property of the wife, as the Court would, under ordinary circumstances, have given to a wife in a similar case. The principle which the hon. Member had embodied in those words was no doubt a very laudable one, but then it was a novel principle, and ought not, he thought, to be introduced into a measure which merely sought to amend the procedure of the Court. He should also beg the hon. Member to bear in mind that in every case of judicial separation the possibility of the husband and wife becoming reunited was supposed, and that result might be interfered with if such arrangements as those proposed were carried into effect.

Mr. DARBY GRIFFITH said, he had given notice of a clause somewhat different from the one before the Committee, inasmuch as it referred, not to cases of dissolution of marriage, but of judicial separation. It was to enable the Court to make provision for the husband, by way of alimony, out of the property which he had settled upon his wife at the marriage.

Mr. EDWIN JAMES said, he would agree to the words "or a decree of judicial separation" being added to his own clause, with regard to the case of a decree of nullity of marriage.

Clause *agreed to.*

Mr. CRAWFORD said, he wished to move a clause to the effect that a right of appeal to the House of Lords should extend to all sentences and final judgments, or petitions under the Legitimacy Act, 1858.

Clause *agreed to.*

The Preamble was then *agreed to.*

House resumed.

Bill *reported,* with Amendments; as amended, *considered.*

Bill read 3°, and *passed.*

ATTORNEYS AND SOLICITORS BILL.

CONSIDERATION.

Order for Consideration read.

Mr. KNIGHT said, he believed this Bill to be "a job." It had been introduced into the House of Lords at a late period of the Session, and hurried through its stages in that House at unseasonable hours. For instance, it passed through Committee at Two o'clock in the morning. It had not been printed as amended, and it was impossible to tell how it then stood. The professed object of the Bill was to provide for improved education of attorneys and solicitors. There was no fault to find with the first clause which professed to improve the education of solicitors by enabling persons who had taken a degree at a University to be admitted to practise as attorneys two years earlier than those who had not taken a degree. But under the profession of a desire to improve the education of solicitors there were concealed three or four most questionable propositions. For instance, the Bill proposed that the Law Society should hereafter issue to solicitors their certificates, which at present were issued by the Government authorities at Somerset House. Again, for the last century the *Law List* had been published by the authority of Somerset House, but the Bill would transfer the publication to a Committee of Solicitors. These were provisions of an important character, which demanded a full, fair, and free discussion. Had the Bill been confined to educational provision it could have met with no opposition, and might have been introduced at a much earlier period.

Notice taken, that Forty Members were not present; House counted; and Forty Members not being present,

The House was adjourned at half-past Seven o'clock.

HOUSE OF LORDS,

Friday, August 12, 1859.

Minutes.] Public Bills.—2ª Bankruptcy and Insolvency (Ireland) Act Amendment.

3ª Weights and Measures Act Amendment; Consolidated Fund (Appropriation); Stamp Duties; Customs (No. 2.); East India Loan; Militia Pay; Reserve Volunteer Force of Seamen; Government of India Act Amendment; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Corrupt Practices Prevention Act (1854) Continuance; Turnpike Acts Continuance; Dublin Police; Charitable and Provident Societies; Inclosure; European Troops India.

PARLIAMENTARY REFORM.—NOTICE.

Lord DENMAN gave notice that, in case the Government should delay to bring forward a Reform Bill, as they had done since 1857, or in case their Bill should be rejected elsewhere, he should follow the precedent established by a noble Lord in bringing in an Endowed Schools Bill after one had been withdrawn in "another place;" and in the next Session move the Reform Bill which had been so prematurely put an end to in the last Parliament, and which was capable of any modification and amendment.

It had reminded him of the speech of Lord John Russell in 1851 on General Gascoyne's Motion, in which his Lordship said, that it was brought forward indeed by the hon. and gallant General, but concocted by more wily individuals, and intended to combine all the enemies of the Bill.

With respect to the foreign policy of the late Government, he would read an extract from a letter which he had just received :

> "I quite agree with you that Lord Malmesbury has been unfairly treated, and that nothing could have been more constitutional, upright, and firm than the manner in which he conducted the Italian business."

A noble Lord (Lord Wodehouse) asked if the letter was from the Earl of Derby, to which Lord Denman answered, no it was from a Cousin of his own, and he himself did not constantly correspond with the noble Earl; but if it had been from that quarter it would have added to the weight of the opinion. He had always given a silent vote in support of the Earl of Derby, but although he might be the most humble member of their Lordships' House, yet he was fully entitled to give his opinion.

GLOUCESTER CITY ELECTION.

A CONFERENCE. ADDRESS TO HER MAJESTY.

Conference had, at the Desire of the Commons, upon the Subject Matter of an Address to be presented to Her Majesty, under the Provisions of the Act 15 & 16 *Vict.*, c. 57 ; and Report made, That the Commons had agreed to the following Address, to be presented to Her Majesty, to which they desire the Concurrence of their Lordships :—

> "Most Gracious Sovereign,
>
> "We, your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg Leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the City of Gloucester, have reported to the House, that there is reason to believe that corrupt Practices extensively prevailed at the last Election for the City of Gloucester.
>
> "We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause Inquiry to be made, pursuant to the Provisions of the Act of Parliament passed in the Sixteenth Year of the Reign of Your Majesty, intituled 'An Act to provide for more effectual Inquiry into the Existence of corrupt Practices at Elections for Members to serve in Parliament,' by the Appointment of James Vaughan, esquire, Lucias Henry Fitzgerald, esquire, and Richard Griffiths Welford, esquire, as Commissioners for the Purpose of making Inquiry into the Existence of such corrupt Practices."

Then it was *moved* to fill up the blank in the said Address with "Lords Spiritual and Temporal and ;" *agreed to.*

Then the said Address was *agreed to;* and a Message sent to the Commons to acquaint them that the Lords had agreed to the said Address, and had filled up the Blank.

The Lord Steward and the Lord Chamberlain of the Household to attend Her Majesty with the Address on the Part of this House.

The Lord Steward to wait upon Her Majesty humbly to know what Time Her Majesty will please to appoint to be attended with the said Address.

WAKEFIELD ELECTION.

A MESSAGE.

Message from the Commons, that they have appointed Viscount PALMERSTON, Sir GEORGE LEWIS, Mr. SECRETARY SIDNEY HERBERT, and Sir GEORGE GREY, to go with the Lords (mentioned in the Message of Yesterday) to wait upon Her Majesty with the Address.

GLOUCESTER CITY ELECTION.

A MESSAGE.

Message from the Commons that they have appointed Viscount PALMERSTON, Sir GEORGE LEWIS, Mr. Secretary SIDNEY HERBERT, and Sir GEORGE GREY to go with the Lords (mentioned in the Message of this Day) to wait upon her Majesty with the Address.

House adjourned at Seven o'clock.
till To-morrow, half past
Two o'clock.

HOUSE OF COMMONS,

Friday, August 12, 1859.

MINUTES.] NEW WRITS ISSUED.—For Kingston-upon-Hull *v.* Joseph Hoare, void Election.

KINGSTON-UPON-HULL ELECTION.

REPORT.

House informed, that the Committee had determined—

"That Joseph Hoare, esquire, is not duly elec ed a Burgess to serve in this present Parliament for the Borough of Kingston-upon-Hull:

"That the last Election for the said Borough of Kingston-upon-Hull, so far as regards the Return of the said Joseph Hoare, esquire, is a void Election.

"And the said Determinations were ordered to be entered in the Journals of this House."

MASTERS IN THE NAVY.

QUESTION.

MR. FORSTER said, that in the absence of his hon. Friend the Member for Birmingham (Mr. Scholefield), who had given notice of the Question, he rose to ask the Secretary to the Admiralty whether any intention exists to issue any new warrant affecting the position of Masters in the Navy.

LORD CLARENCE PAGET replied that the question of the position of Masters in the Navy was under the consideration of the Board of Admiralty. There were considerable difficulties attending this question, because it involved the corresponding rank and position of other officers, who were similar in grade of rank with the masters. The late Board of Admiralty effected an improvement in the position of surgeons, and he thought it was to be regretted that they had not, at the same time, taken into consideration the position of masters and paymasters in the navy.

MILITARY RIOTS AT KINSALE.

QUESTION.

MR. TORRENS said, he would beg to ask the Chief Secretary for Ireland whether there is any objection to lay on the Table Copies of the Official Reports made by the Civil and the Military Authorities who held investigations regarding the recent rioting at Kinsale between some of the soldiers of the regiment of Antrim Militia Artillery and some of the inhabitants of that town.

MR. J. D. FITZGERALD said, there would be no objection to lay on the table the reports to which the hon. Gentleman referred, but the best course he considered would be to put the question into the form of a Notice, and move it the following day, as an opposed return.

SUNDAY BANDS IN THE PARKS.

QUESTION.

MR. EDWIN JAMES said, he wished to ask the First Commissioner of Works what reply, if any, he gave to a Deputation of the Lord's Day Society, which attended him upon the subject of preventing the performance of Bands in the Parks on Sundays?

MR. FITZROY said, he was afraid he could scarcely give a satisfactory answer to the question, as he had no written document to refresh his memory; but, so far as his recollection served him, he would state what took place on the occasion to which the hon. and learned Gentleman referred. He believed that the deputation waited upon him under the erroneous impression that some new application on the subject of Sunday Bands had been made, or was about to be made to him. The Deputation went, consequently, into the merits of the whole question, discussing it in a religious point of view. He replied that he fully agreed with them as to the right of every man to the enjoyment of one day of rest in the week, and that he would be most unwilling to be a party to anything that would affect that right; but at the same time he stated that the performers who composed the band were free agents, and undertook the duty voluntarily; that according to the showing of the deputation, vast numbers of persons frequented the parks to enjoy the music; that the privilege had been continued for several years; that no complaints of riot or improper conduct had been made with respect to the parties frequenting the parks: and that he would not feel justified in abolishing the existing practice, which had been so long continued without leading to any inconvenience.

COAL AND IRON MINES.

QUESTION.

MR. AYRTON said, he wished to ask the Under Secretary of State for the Home Department whether it is the intention of the Government to issue a Commission to inquire into the effect of prolonged labour of children in Mines of Coal and Ironstone, as the Act for the Inspection of Mines expires next year?

MR. G. CLIVE said, he believed that an inquiry would take place on the subject, but that it had not yet been determined whether it should be conducted by a Commission. The matter, however, was under consideration, and he had no doubt that his right hon. Friend the Home Secretary would make a statement on the subject early next Session.

THE MILITIA AND THE LINE.
QUESTION.

Colonel DUNNE said, he rose to call the attention of the House to the practice of orders being sent from the War Department to Officers commanding Militia Regiments to release deserters from their corps who have enlisted into the Line; and to ask the Secretary of State for War if such a practice is not contrary to the Articles of War?

Mr. SIDNEY HERBERT said, there could be no doubt that, whether politic or impolitic, the practice was strictly legal; because it was laid down in the Mutiny Act that a deserter from the Militia who enlisted in the Line was to be received, but that his time in the army was not to count till the time for which he had enlisted in the Militia was expired.

Colonel DUNNE: But how does the right hon. Gentleman get over the perjury of these men?

Mr. SIDNEY HERBERT: I don't get over it at all. The question is how the law gets over it.

KNAPSACKS.—QUESTION.

Captain LEICESTER VERNON said, he would beg to ask the Secretary of State for War whether it is his intention to issue a Medical Commission to decide which among several competing kinds of knapsack was the best for the soldier?

Mr. SIDNEY HERBERT said, that acting in accordance with what he had stated some time ago, he had thought that the men themselves would be far better judges which knapsack it would be most convenient for them to carry than any Board of General or Medical Officers could be. He had, therefore, ordered a number of Berrington's knapsacks, as well as some of the knapsacks invented by Colonel Spiller, to be served out to the companies of certain Regiments, with a view to their being tested by practical experiment.

ROMAN CATHOLIC SAILORS.
QUESTION.

Mr. HENNESSY said, he wished to ask the Secretary to the Admiralty whether the Government is prepared to carry into effect the recommendations of the late First Lord of the Admiralty, as specifically set forth in Sir John's Pakington's Letter to Lord Derby, dated April last, respecting the treatment of Catholic Sailors in the Royal Navy?

Lord CLARENCE PAGET said, he could assure the hon. Gentleman he was mistaken in supposing that the late First Lord of the Admiralty had made any specific recommendation whatever on that subject. On a previous occasion he had told the hon. Member, when he asked a similar question, that there was a Letter of Sir John Pakington to Lord Derby respecting the treatment of Roman Catholic Sailors in the Fleet, but it merely contained vague expressions of opinion on each of the points laid before the right hon. Baronet. He could, therefore, only advise the hon. Gentleman to ask the permission of the late First Lord of the Admiralty to lay that Letter on the table, and then he would see that it really contained no specific recommendation whatever.

Mr. P. O'BRIEN said, he wished to know if the Letter referred to the case of the *Ajax*, at Kingstown?

Lord CLARENCE PAGET said, that the Letter in question did not refer to the Roman Catholics on board of Her Majesty's ship *Ajax* only, but to the Roman Catholic sailors of the Fleet generally.

PORTPATRICK AND DONAGHADEE HARBOURS.—QUESTION.

Colonel DUNNE said, in the absence of the hon. and gallant Member for Antrim (General Upton), he would beg to ask the Secretary to the Treasury, if, considering the facts detailed in the Petition from the Ayr and Maybole Railway Company alleging the breach of an Agreement to which the Lords of the Treasury were a party, it is intended to lay out any public money on the Harbours of Portpatrick and Donaghadee, until the Mail Contract Committee shall have reported on the facts?

Mr. LAING said, he could only repeat the answer he had given on this subject when the Estimates were under discussion, namely, that a bargain having been entered into by the Government and confirmed by the late Secretary to the Treasury, they could not now postpone acting upon it. The case did not at all come within the scope of the reference to the Mail Contract Committee. The sum to be laid out on those works would not exceed £20,000.

POOR LAW MEDICAL RELIEF.
QUESTION.

Mr. PIGOTT said, he rose to ask the Secretary to the Poor Law Board if his attention has been called to the present unsatisfactory system of Poor Law Medical relief?

Mr. GILPIN said, the subject had occupied the attention of the President of the Poor Law Board, but he could not give any assurance as to his intention to introduce a Bill on the subject.

NEW WRIT FOR KINGSTON-UPON-HULL.

Mr. MALINS moved that Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for a burgess to serve in this present Parliament for the borough of Kingston-upon-Hull, in the room of Joseph Hoare, Esq., whose election has been declared to be void. The hon. and learned Member said the House was aware that there was a Sessional Order in these terms:—"That in all cases where an Election has been declared void on the ground of Bribery no Motion shall be made for the issuing of a New Writ without two days' previous notice being given." There was a question for the House now to determine whether the two days' notice were necessary or not. He might observe that he should not have moved for the writ being issued if Mr. Hoare had been unseated for bribery. It was the usual practice of Committees to report that the Member unseated had been guilty of bribery either by himself or his agents; but this Committee had not declared that Mr. Hoare was either by himself or his agents guilty of bribery. The Report had been read that afternoon at the bar.

Sir GEORGE GREY said, he had not seen it; and perhaps it would be better if the hon. and learned Gentleman read it to the House.

Mr. MALINS then read the official copy of the Report, which stated, amongst other things, that at the last election for Hull, 487 persons were employed by Mr. Hoare, and 493 persons on behalf of Messrs. Clay and Lewis, as messengers, &c.; that more than 300 of the persons employed by Mr. Hoare were voters for the borough, and were paid by his agents for such employment sums varying from 2*s.* 6*d.* to £3 5*s.* The paragraph to which he wished particularly to call attention was this:—

> "That it does not appear to the Committee that any act of bribery was committed with the knowledge or consent of the said Joseph Hoare, Esq., who appears to the Committee to have always shown the greatest anxiety to check any irregular proceedings in the conduct of the election."

The Report, it would seem, did not in terms find Mr. Hoare guilty of bribery either by himself or by his agents, and it was only by inference that they could collect that any act of bribery had been committed at all. There could not have been a more explicit acquittal of the late hon. Member for Hull, and unless he had been declared guilty of bribery by one or the other this Sessional Order did not apply. If there had been any doubt upon the question he should not have brought it before the House without the two days' notice, and this being the last day of the Session that notice would be impossible; and therefore the question really was whether they should suspend the writ for six months or issue it now. For suspension of the writ there ought to be a strong and clear case made out. He was not aware that the Committee had made out a case for suspension, and indeed four of those hon. Gentlemen were distinctly of opinion that the writ ought to be issued. Under these circumstances what was there to prevent the issuing of the writ? It was clear that unless the Committee made a special Report the writ ought to be issued; but no special Report had been made, and therefore he trusted the House would be of opinion that the Sessional Order was no obstacle to the issuing of the writ. No doubt practices had prevailed in the borough of Hull, such as the employment of messengers, which were objectionable. But that was not done with corrupt motives, and no doubt those practices would after this Report be put a stop to. If this writ should be issued there would be no danger of similar practices being resorted to at the next election. The hon. and learned Member concluded by moving the issuing of the writ.

Motion made and Question proposed—

> "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for a Burgess to serve in this present Parliament for the Borough of Kingston-upon-Hull, in the room of Joseph Hoare, esquire, whose Election has been declared to be void."

Mr. PULLER said, he had no authority to express on behalf of the Committee any opinion, one way or the other, whether this writ ought to be issued. They did not take that question into consideration. The Committee wished that the evidence should be printed, and that he would move; but, speaking for himself, he did not wish to interpose any obstacle to the issue of the writ. Indeed, having regard to the interests of the borough it was very undesirable that it should be kept in suspense for six months.

Sir GEORGE GREY was in hopes that the hon. Gentleman who had just sat down, and who had been Chairman of the Committee, would have explained to the House why the Report of the Committee was couched in these terms. The Report did not say, as was usual in other Reports, that Mr. Hoare had been unseated on the ground of bribery, nor was there any distinct statement that Mr. Hoare had by his agents been guilty of bribery. It appeared to him that the only possible inference that could be drawn from the Report was that Mr. Hoare was unseated on the ground of bribery through his agents; while at the same time it was reported—what was very creditable to him, but not so unusual a remark in reports of Election Committees as the hon. and learned Member for Wallingford supposed—that Mr. Hoare had done his utmost to prevent bribery. If the Chairman had told them that the Committee had come to the conclusion that Mr. Hoare was not duly elected, yet it was not on the ground of bribery, the Sessional Order would not have stood in the way, and the writ might have been issued at once. But he could not put that construction on the Report. Mr. Hoare must have been unseated on the ground either of bribery or treating. Treating was not suggested, and therefore, considering the only influence that could be drawn from the Report, the Sessional Order was not to be set aside merely for considerations of the convenience of the borough.

Mr. CLAY said, there could be no doubt it would be a great inconvenience to violate the Sessional Order; but it would be a greater to keep the borough in suspense for six months. The object of that Order was that the House should not be taken by surprise in issuing a writ to a borough, which had been proved to have misconducted itself, or whose conduct might appear to call for inquiry. But he had no hesitation in stating, from his own personal knowledge, that this was not the case in the present instance. With regard to the hon. Gentleman who was yesterday his colleague, he felt certain not only that that Gentleman had no cognizance of bribery, but that he had done everything man could do to make his agents respect the law. The hon. and learned Gentleman the Member for Wallingford had done but scant justice to the borough when he said that this employment of messengers was a continuation of old corrupt practices in the borough. He believed no man knew more of electioneering practices in Hull than himself, and he could assure the House, upon his honour, that there was no place in the kingdom where there had been so great an improvement in electioneering practices as in the borough of Hull. They were not a continuation of old practices but the ghost and pale reflection of old practices. There had been a rapid improvement of late years; and it would be a great hardship that his constituents should be for some months deprived of a Member, and exposed to all the excitement of a contested election merely because the period of the Session rendered it impossible to give the notice required by this Sessional Order.

Colonel GREVILLE, as a member of the Committee, concurred with the Chairman in the opinion that there was no ground for withholding the writ. He occupied a peculiar position respecting this application, for had he been present to be sworn on the Wednesday this Election Committee might have met on Thursday morning, and the proceedings might have terminated two days ago. As it was, they did not meet until the Saturday morning, and though they sat for ten hours it had been found impossible to finish in time to give the requisite notice. If the writ were not issued now, it would be tantamount to a six months' notice, and this, he thought, would be hard measure to the constituency.

Lord HOTHAM said, the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Sir George Grey) regretted that Hull should be put to inconvenience; and he also regretted that there should be a postponement of the writ for six months; but let him (Lord Hotham) ask the right hon. Gentleman where was the necessity for that regret? Hon. Members had assumed that to-morrow would be the last day of the Session; but the Session would not be closed until the business of the House had been disposed of, and he imagined that to keep the representation full was one of its first duties. If Her Majesty had intended to prorogue Parliament in Person he would not have interfered: but as it was understood that it was to be prorogued by Commission he saw no inconvenience if the prorogation were postponed until Monday or Tuesday. There was no question whether the writ should be issued; but it was one as to a point of form, and although he should be sorry to keep the right hon. Gentleman the Speaker in the Chair a moment longer than necessary, still he felt sure that that right hon. Gentleman would not grudge coming down to the House on Monday for an hour or two to dispose of this business. He, therefore, put it to the Chancellor of the Duchy of Lancaster (Sir George Grey) whether he did not think that on the part of the Government this course should be departed from?

SIR GEORGE GREY was of opinion that to postpone the prorogation of the Session for the purpose of issuing the writ would not be a desirable course to pursue, inasmuch as the day for the prorogation had been fixed by Her Majesty for to-morrow. The best plan he thought which could, under the circumstances, be adopted would be that the hon. and learned Gentleman should give notice that he would move the issue of the writ to-morrow, and at the same time move the suspension of the Sessional Orders, so that one day's notice might serve instead of two.

MR. MALINS said, he should have given two days' notice if circumstances had admitted of his doing so; but as matters stood he would withdraw his Motion, and give notice that to-morrow he would move the suspension of the Sessional Orders, and also the issue of the writ.

Motion, by leave, *withdrawn.*

WAKEFIELD ELECTION.

MESSAGE FROM THE LORDS.

That their Lordships do *agree* to the Address of this House to Her Majesty, under the provisions of the Act 15 & 16 *Vict.*, c. 57, with respect to the Borough of Wakefield Election, and have filled up the blank with "Lords Spiritual and Temporal and"—

Resolved, "That Viscount PALMERSTON, Sir GEORGE LEWIS, Mr. Secretary SIDNEY HERBERT, and Sir GEORGE GREY, do wait upon Her Majesty with the said Address:—To be communicated to the Lords."

GLOUCESTER CITY ELECTION.

ADDRESS MOVED.

MR. EDWIN JAMES *moved,* "That an humble Address be presented to Her Majesty, as followeth:—

"Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the City of Gloucester, have reported to the House, that there is reason to believe that corrupt practices extensively prevailed at the last Election for the City of Gloucester:

"We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled 'An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament,' by the appointment of James Vaughan, esquire, Lucius Henry Fitzgerald, esquire, and Richard Griffiths Welford, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices:

"That the said Address be communicated to the Lords at a Conference, and their concurrence desired thereto:

"That a Conference be desired with the Lords upon the subject-matter of an Address to be presented to Her Majesty, under the provisions of the Act of the 15th and 16th of Her present Majesty, c. 57; and that the Clerk do go to the Lords, and desire the said Conference."

His Motion was based on the Report of the Committee which had been appointed to inquire into the late election for the city of Gloucester, in which Report it was stated that the Committee had reason to believe that corrupt practices had extensively prevailed at that election; fifteen persons having been bribed with sums varying from £10 to £5. He might add that he had carefully read through the evidence which had been taken before the Committee, and that he made the present Motion with the sanction of the whole of its members. In agreeing to this Address the House would only be following the course it had adopted in the case of Wakefield.

MR. HADFIELD should be glad to know what the expense of this Commission would be. Reports weighing no less than eleven tons had been made by similar Commissions, but nothing had been ever done upon them, nor had a single individual living ever read them.

MR. DARBY GRIFFITH said, it was but too true that the inquiries of these Commissions did not produce the desired results; but he believed that was the fault of the House, and not of the Commissioners. In the Galway case the existence of extensive corruption had been clearly brought to light by the Commissioners, but a desire had been shown by Members on both sides of the House to screen the culprits.

It was his conviction that the House was not sincere in its avowed determination to put down corrupt practices at elections, and until that was the case the issue of such Commissions as that which the hon. and learned Member for Marylebone now moved would be found to be nugatory.

Mr. O'BRIEN thought that if this Commission was issued one Commissioner would be quite as good as three, which would be a considerable saving of expense.

Mr. MELLOR said, that with respect to the Galway case he believed the charge of the hon. Member opposite (Mr. Griffith) was justified by the result, the House having managed in that instance to render nugatory the Report of the Commissioners. Inquiries of that description would be nothing better than a farce and a sham unless the House should resolve to give them practical effect, and until he saw better evidence than had yet been furnished of its determination to carry out its professions in those cases he should oppose the appointment of Commissions.

Mr. BRADY looked upon all these Commissions as a complete delusion, and no beneficial result could come from them. If the House really wished to put down bribery, let the Committees recommend that the persons bribed and the persons bribing should be prosecuted. The only object of the Commission appeared to be to give employment to three barristers during the long vacation.

Mr. MALINS said, that he also had a strong opinion against issuing these Commissions. There had been already fifteen inquiries of the kind, the results of which were embodied in fifteen blue-books, which he would venture to say fifteen persons had never read. It was hardly possible for poor people to resist the temptation of sums larger than they had ever possessed or even hoped to possess: but why did not the House proceed against the bribers? If they would resolve that when a Committee found that a person had practised bribery that person should be prosecuted by the Attorney General, they would be doing something towards putting an end to these discreditable practices. It was not the poor man who accepted the bribe that was most to blame in these cases, but the rich man who practised upon his poverty for the purpose of influencing his vote. They had already agreed that a Commission should be appointed to inquire into the alleged corruption at Wakefield; but he regretted that he had not opposed the Motion in that case, and he hoped that they would have no more of those ridiculous and expensive proceedings.

Sir GEORGE GREY said, that the hon. and learned Gentleman the Member for Marylebone, in bringing forward that Motion, was merely seeking to carry out the provisions of an Act of Parliament. There was a statute—the 15th and 16th *Vict.*, c. 57—which expressly provided that when a Committee had specially reported that bribery had extensively prevailed in a county or a borough, the House might address the Crown, praying that a Commission should issue for the purpose of inquiring into the case, and the Commission when appointed had all the powers vested in it by the Act to ascertain whether bribery had existed and to what extent. The hon. and learned Gentleman the Member for Wallingford seemed to think that the Commissioners would only pursue the poor electors, who had accepted the bribes and that they left unnoticed the wealthy and the more guilty parties, who had thrown the temptation in their way. But that was not an accurate view of the matter. If the Commissioners should report who were the bribers, the House was surely not powerless to punish them, whatever might be their station. The hon. and learned Gentleman said that none of those inquiries ended in any good. Now, in the Galway case a Bill had been introduced for the purpose of disfranchising a particular class of voters who had been proved before the Commissioners to have been extensively corrupted. That Bill was generally supported by the party with whom he (Sir George Grey) usually acted; but it was opposed by the late Government and their supporters, and it had consequently been lost. The House had recently agreed that a Commission should be appointed to inquire into the corruption practised at the election for Wakefield. Gloucester and Wakefield were the only two cases in which Election Committees had reported specially that bribery extensively prevailed, and it would be inconsistent to issue a Commission in the one instance and not in the other. If the Motion should be negatived there must be an end to any further inquiry into the corrupt practices which, according to the report of that Committee, had extensively prevailed at the late City of Gloucester election; and to-morrow the hon. and learned Member for Wallingford would perhaps give notice that he would move the issue of a new writ for that city.

[Mr. MALINS: Certainly not.] Well, but he (Sir George Grey) should protest against the suspension of a writ except for the purpose of some ulterior proceeding; and if the House did not contemplate any such proceeding it would have no right to suspend a writ indefinitely. The hon. Gentleman the Member for Sheffield (Mr. Hadfield) asked what might be the expense of such a Commission. He (Sir George Grey) could not undertake to answer that question. But he believed it was not at all likely that the expense in that case would be as great as it had been in the Hull inquiry, from the very fact that such strong complaints had been made of the cost incurred in that latter case as would prevent the occurrence of a similar outlay upon any future occasion.

SIR HENRY DAVIE said, that as he was then the only member of the Gloucester Committee in the House he felt it his duty to state that a grosser case of bribery could hardly be conceived than that which had been brought before them. He should himself have moved the appointment of a Commission in the case if he had not been anticipated in his intention by the hon. and learned Member for Marylebone.

COLONEL SYKES observed, that no less a sum than £768,000 had been spent upon Commissions. Last year no less than £33,000 was expended in that way, and he thought it was high time the House put a check upon such extravagance.

MR. VINCENT SCULLY said, that looking at the precedent furnished by the Wakefield case, he should feel it his duty to Vote for the Motion, but he hoped that would be the last Commission of the kind that would be issued. These Commissions were perfectly useless. If they wanted to effect any good they ought to call upon hon. Members to come to the table to make a clear and distinct statement upon their honour that they had neither been guilty of bribery, directly or indirectly, and that they had not paid and would not pay any expenses beyond those properly certified by the Election Auditor.

MR. VANCE said, that as a general rule Commissions of this kind were not attended by any useful result; in point of fact, that they were utterly futile. But then that was entirely the fault of the House of Commons itself. It had been suggested that Committees should order the prosecution of both the bribers and the bribed; but if the suggestion were acceded to it would be altogether impossible to obtain evidence upon which the Committee could reply.

MR. EDWIN JAMES denied that he had any interest in the patronage of the appointment of the Commissioners who were to conduct the inquiry, and he indignantly repudiated the idea that the members of the Bar had sunk so low as to seek the appointment of such a Commission merely for the sake of the patronage. The Commission for which he asked was in strict accordance with the Act of Parliament, and if it should come to nothing, that was not the fault of the Commissioners, but of the House, which might decline to act upon it afterwards.

MR. BRADY protested, that he had meant nothing personal towards the hon. and learned Member.

Question put,

House *divided*:—Ayes 59; Noes 21: Majority 38.

Resolved, That an humble Address be presented to Her Majesty, as followeth:—

"Most Gracious Sovereign,

"We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the City of Gloucester, have reported to the House, that there is reason to believe that corrupt practices extensively prevailed at the last Election for the City of Gloucester:

"We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled 'An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament,' by the appointment of James Vaughan, esquire, Lucius Henry Fitzgerald, esquire, and Richard Griffiths Welford, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices:

Ordered, "That the said Address be communicated to the Lords at a Conference, and their concurrence desired thereto:

Ordered, "That a Conference be desired with the Lords upon the subject-matter of an Address to be presented to Her Majesty, under the provisions of the Act of the 15 & 16 of Her present Majesty, c. 57; and that the Clerk do go to the Lords, and desire the said Conference."

GLOUCESTER CITY ELECTION.

MESSAGE FROM THE LORDS.

That they do *agree to* the Address of this House to her Majesty, under the provisions of the Act 15 & 16 *Vict.* c. 57, with respect to the Gloucester City Election, and do fill up the blank with "Lords Spiritual and Temporal and"—

Resolved, That Viscount PALMERSTON, Sir. GEORGE LEWIS, Mr. Secretary SIDNEY HERBERT, and Sir GEORGE GREY do wait upon Her Majesty with the said Address."—To be communicated to the Lords.

THE RUTLANDSHIRE SESSIONS.

CASE OF YATES AND LAGDEN.

ADDRESS MOVED.

MR. MELLOR moved an Address to the Crown for a Copy of the conviction of two men named Yates and Lagden, at the last Rutlandshire Quarter Sessions, held on the 30th of June, and of the sentences passed upon them respectively. An account of the conviction of these men appeared in the *Stamford Mercury.* They were tried at the Rutlandshire Sessions, where there was no bar, and they were described as notorious poachers, and were convicted upon the evidence of an accomplice of stealing about one cwt. of oilcake. Yates, who was 65 years of age, and against whom there was a previous conviction for felony, was sentenced to fifteen years' penal servitude, ard Lagden, who was 25 years of age, was sentenced to ten years' penal servitude. He ventured to say that these were sentences without precedent, for sentences of penal servitude were seldom for a longer period than six years. In sentencing the second prisoner the Chairman observed that, as the bench believed he had been led into the commission of the offence by his elder companion, they would therefore sentence him to ten years' penal servitude. He (Mr. Mellor) could not help thinking that these men had been tried for one offence and punished for another, and he believed that such proceedings on the part of magistrates were calculated to bring not only the game laws but the penal laws generally into odium and disrepute. He hoped some assurance would be given to the House that an inquiry would be made on the subject.

MR. G. CLIVE said, there would be no objection to the return, and stated that the Home Secretary had taken all the necessary steps to ascertain the facts from the local authorities. He must say that, according to the statement, the sentences seemed almost an enormity. But he hoped there might be some circumstances not within the knowledge of the House which justified the conduct of the magistrates.

Motion *agreed to.*

Address for,

"Copy of the Conviction of Yates and Lagden at the last Rutlandshire Quarter Sessions, held on the 30th day of June last; and of the Sentences passed upon them respectively."

THE PONTEFRACT ELECTION.

REPORT

MR. WALPOLE brought up the Report of the Committee appointed to inquire into the allegations contained in the petition of Mr. H. E. Childers with reference to the recent election for the borough of Pontefract; and moved that it be printed. [*Cries of* "Read."]

MR. WALPOLE hoped the House would allow the Report to be printed. The Committee had been engaged all the day in considering their Report. Many alterations had been made in the document, which the Clerk would find it very inconvenient to read. He believed that its reading would occupy from half an hour to three-quarters of an hour, and that the better course would be to order the petition to be printed, and it would then be in the hands of Members to-morrow.

Report *brought up,* and read; to lie on the table, and to be *printed.*

THE SLAVE TRADE.

RESOLUTION.

MR. CAMPBELL moved the following Resolutions:—

"That this House feels bound, before the Session closes, to express the deep respect it entertains for the firm and honourable manner in which the Government of Portugal has acted on its Treaties with Great Britain, in restraining Negro exportation from the Eastern Coast of Africa in 1857 and 1858.

"That this House fully recognizes the zeal with which the Emperor of the French has resolved to check the Slave Trade in all its forms through his dominions."

MR. BUXTON, in seconding the Motion, said, he would not detain the House except to say that that question was of much more practical importance than might at first sight appear. He knew that the Portuguese themselves were anxious that there should be some such expression of opinion on the part of the British Parliament as that now proposed, which would have the effect of placing them in a better position with respect to their efforts to suppress the slave trade than they were in at present.

MR. CAVE quite agreed in the Motion as far as Portugal was concerned. With regard, however, to France, he asked were they quite certain that the Emperor of the French had resolved to check the slave trade in all its forms throughout his dominions? He had himself received information from Martinique that a vessel with several hundreds of negroes on board, and belonging to a firm at Marseilles, had lately landed at that island; thus showing that a traffic was being carried on which our Government had stigmatized as the slave trade, and in consequence of which they addressed remonstrances to the Emperor. It was also stated that the vessel in question, after landing her cargo, was to return to the coast of Africa for a fresh one. It might be asserted that these negroes were free emigrants; but when it was known that they were sometimes placed in irons and put on board vessels which carried them to French possessions, it certainly did not seem as if they were allowed to exercise much free agency in the matter. Some of them had escaped from Martinique and Guadaloupe to British territory, while others had been drowned in their attempts at flight—circumstances which threw considerable doubt on their alleged freedom. Negotiations were said to have been set on foot by the Emperor of the French with our Government with a view to substitute Indian Coolies for these negroes. To the immigration of these Coolies to our own colonies there was no objection, because their embarcation and debarcation were both conducted under the strict surveillance of our Government agents. But if they were to be carried from the British possessions to Martinique, Guadaloupe, or Bourbon, immediately they had sailed, they would be withdrawn from the control of our authorities, and when they had arrived at their destination there would be no security for their proper treatment. If that was to be the compensation which we were to pay for the Emperor's apparent abandonment of the slave trade, he maintained that the price was too high.

SIR GEORGE GREY regretted that such a Motion should have been brought forward so late in the Session in so thin a House, and when his noble Friend at the Government and his noble Friend the Secretary of State for Foreign Affairs, were both unavoidably absent. He hoped that the hon. Gentleman who had introduced the subject would not think it necessary to press his Resolutions. He believed the Portuguese Government had acted with great zeal in restraining the exportation of negroes from the coast of Africa, and that the Emperor of the French had also been earnest in his endeavours to check the slave trade. But a correspondence was still going on with respect to that subject between our Government and the Government of both of the countries referred to in the Motion; and if these Resolutions were passed they might lead those two Governments to say that we were entirely satisfied that they had done all that was necessary. Its effect, therefore, might be to weaken instead of strengthening the hands of the Government in its further correspondence with these Powers. Moreover, even if the Resolutions should now be adopted, they could not have the weight which they ought to carry with them, owing to their having been passed in a very thin House, and without discussion, at the close of a Session.

MR. BRISCOE concurred in what had fallen from the right hon. Baronet, and trusted that the Motion would not now be persevered in.

MR. CAMPBELL said, that if the right hon. Baronet had had the goodness to read the terms of the Motion, he would have seen that it referred, as far as regarded Portugal, to transactions which were already concluded, and therefore could not inconvenience but must rather aid the Government in any correspondence now pending between them and that State. But under all the circumstances, and seeing that the Resolutions did not appear to command that support from the Government which was necessary to give them due authority, he thought he should best consult the feeling of the House by withdrawing them. At the same time, while following the suggestion of the right hon. Baronet, he must throw upon him the whole responsibility for the evil consequences which must flow from the postponement of the Motion.

Motion, by leave, *withdrawn.*

CASE OF MR. S. H. S. PULLEN.

OBSERVATIONS.

MR. BRADY rose and was proceeding to call the attention of the House to the circumstances under which Mr. S. H. S. Pullen, medical Officer of the third district Otterton and Briton of St. Thomas's Union, Exeter, had been dismissed by the Board of Guardians of the district; when, Notice taken, that Forty Members were not present: House counted; and Forty Members not being present,

House adjourned at a quarter before Seven o'clock.

HOUSE OF LORDS,

Saturday, August 13, 1859.

MINUTES.] *Royal Assent.*—Income Tax; Consolidated Fund (Appropriation); Stamp Duties; Military Savings' Banks; Universities Incorporation Act Amendment; Queen's Remembrancer, &c.; County Cess (Ireland) Acts Continuance; Universities (Scotland); Constabulary Force (Ireland); Manufactures (Ireland) Acts Continuance; Cambridge University Commission (Continuance); Law of Property and Trustees Relief Amendment; North Western Territories (British America); Coinage; Probates and Letters of Administration (Ireland); Turnpike Trusts Arrangements; Railway Companies Arbitration; Marriages (Lisbon); Imprisonment for Small Debts; Militia Laws Amendment; Bankruptcy and Insolvency (Ireland) Act Amendment; Customs (No. 2); East India Loan; Militia Pay; Reserve Volunteer Force of Seamen; Government of India Act Amendment; Inclosure Acts Amendment; Stock in Trade Exemption; Ecclesiastical Jurisdiction Continuance; Episcopal and Capitular Estates Act Continuance; Corrupt Practices Prevention Act (1854) Continuance; Weights and Measures Act Amendment; Turnpike Acts Continuance; Dublin Police; Charitable and Provident Societies; Inclosure; European Troops (India); Divorce Court; Sale of Gas; Sessional Divisions; Charitable Trusts Act Continuance; Law Ascertainment Facilities; Police (Counties and Boroughs); Reserve Force; Poor Law Boards (Payment of Debts); Galway Harbour and Port Act (1853) Amendment; Fishing Vessels passing the Nore.

PROROGATION OF THE PARLIAMENT.
SPEECH OF THE LORDS COMMISSIONERS.

THE PARLIAMENT was this day prorogued by Commission.

The LORDS COMMISSIONERS — namely, The LORD CHANCELLOR (Lord Campbell); The LORD PRESIDENT OF THE COUNCIL (Earl Granville); The FIRST LORD OF THE ADMIRALTY (the Duke of Somerset); The LORD STEWARD OF THE HOUSEHOLD (the Earl of St. Germans); and The LORD CHAMBERLAIN OF THE HOUSEHOLD (Viscount Sydney) being in their robes, and seated on a form between the Throne and the Woolsack; and the COMMONS being come with their Speaker, the ROYAL ASSENT was given to several Bills.

Then The LORD CHANCELLOR *delivered* the Speech of the LORDS COMMISSIONERS as follows:—

"*My Lords, and Gentlemen,*

WE are commanded by Her Majesty to release you from further Attendance in Parliament; and at the same Time to convey to you Her Majesty's Acknowledgments for the Zeal and Assiduity with which you have applied yourselves to the Performance of your important Duties during the Session of Parliament now about to close.

VARIOUS Circumstances which occasioned Interruptions in the usual Course of Business prevented the Completion of important Measures which Her Majesty pointed out to the Attention of Her Parliament in the Beginning of the present Year; but Her Majesty trusts that those Matters will be taken into your earnest Consideration at an early Period of your next Session.

THE War which had broken out in *Northern Italy* having been brought to a Close by the Peace of *Villafranca*, Overtures have been made to Her Majesty with a view to ascertain whether, if Conferences should be held by the Great Powers of *Europe* for the Purpose of settling Arrangements connected with the present State and future Condition of *Italy*, a Plenipotentiary would be sent by Her Majesty to assist at such Conferences; but Her Majesty has not yet received the Information necessary to enable Her to decide whether Her Majesty may think fit to take part in any such Negotiations.

HER Majesty would rejoice to find Herself able to contribute to the Establishment of Arrangements calculated to place the general Peace on satisfactory and lasting Foundations.

Her Majesty, in accordance with the Stipulations of the Treaty of *Tien-sing*, has instructed Her Plenipotentiary in *China* to repair to the Imperial Court at *Pekin*, and Her Majesty trusts that such direct Communication with the Imperial Government will have a beneficial Effect upon the Relations between the Two Countries.

Her Majesty commands us to inform you that She looks forward with Confidence to the continued Maintenance of those friendly Relations which so happily subsist between Her Majesty and all Foreign Powers and States.

Her Majesty is glad to be able to congratulate you on the complete Restoration of Tranquillity in Her *Indian* Dominions.

It will be Her earnest Endeavour to promote their internal Improvement, and to obliterate the Traces of those Conflicts which Her Majesty witnessed with such deep Concern.

The Financial Arrangements of that Portion of Her Majesty's Empire will continue to engage Her Majesty's serious Attention.

Her Majesty has had much Satisfaction in giving Her Assent to the Bills which you presented to Her for the Formation of a Naval and of a Military Reserve Force. A complete and permanent System of National Defence must at all Times be an Object of paramount Importance.

"Gentlemen of the House of Commons,

Her Majesty commands us to convey to you Her cordial Thanks for the Readiness and Zeal with which you have provided the necessary Supplies for the Service of the Year.

"My Lords, and Gentlemen,

Her Majesty commands us to express to you Her heartfelt Gratification at witnessing the general Well-being and Contentment which prevail throughout Her Dominions: the Happiness of Her Majesty's People is the Object dearest to Her Heart.

In returning to your respective Counties you will have Duties to perform intimately connected with the Attainment of this great End; and Her Majesty fervently prays that the Blessing of Almighty God may attend your Exertions in the Performance of those Duties, for the common Good of all Classes of Her Majesty's Subjects.

Then a Commission for Proroguing the Parliament was read,

After which,

The LORD CHANCELLOR said:

"My Lords and Gentlemen,

By virtue of Her Majesty's Commission, under the Great Seal, to us and other Lords directed, and now read, we do, in Her Majesty's Name, and in obedience to Her Commands, prorogue this Parliament to *Thursday* the *Twenty-seventh* Day of *October* next, to be then here holden; and this Parliament is accordingly prorogued to *Thursday* the *Twenty-seventh* Day of *October* next.

* * *

HOUSE OF COMMONS,

Saturday, August 13, 1859.

Minutes]. New Writs Issued.—For Liskeard, *v.* Ralph William Grey, esquire, Manor of Northstead; For Hertford Borough, *v.* Right hon. William Francis Cowper, Vice President of the Committee of Council for Trade; for

Berwick-upon-Tweed, *v.* Ralph Anstruther Earle, esquire, Chiltern Hundreds.

Public Bills.—1° Metropolis Local Management Act Amendment; Roman Catholic Charitable Trusts Law Amendment.

PRIVILEGE—PONTEFRACT ELECTION.

(CHILDERS' PETITION.)

Mr. WESTHEAD said, he rose to call the attention of the House to a question of Privilege, and he meant to conclude with a Motion. The petition relative to the Pontefract election, which was presented a few days ago, had attracted considerable attention, not only in that House, but throughout the country. The Report of the Committee appointed to inquire into the allegations of that petition had only just been circulated, and he had not succeeded in obtaining a copy of that Report until within a very short time of the meeting of the House.

Mr. MALINS rose to order. He had himself a Notice on the paper for a Motion for the issue of a new writ, which was, he imagined, a matter of privilege, and was entitled to precedence.

Mr. SPEAKER said, the hon. Member for York (Mr. Westhead) had stated that he intended to conclude with a Motion on a question of privilege. That hon. Gentleman was in the possession of the House, and if the question to which he was calling attention was one of privilege he was entitled to proceed.

Mr. WESTHEAD proceeded. When interrupted, he was saying that he had only obtained a copy of the Report of the Committee shortly before the meeting of the House, and had not been enabled to do more than glance over it very hastily. It appeared to him that by far the larger portion of that Report might be regarded as little more than a narrative of the allegations of the petition of which it might be said to be an analysis; but he would draw the attention of the House, and especially of the hon. and learned Member for Pontefract (Mr. Overend) to the three concluding paragraphs of the Report, which seemed to contain the sum and substance—the very kernel, as it were—of the Committee's decision. The 17th paragraph ran thus:—

> "Such are the facts with reference to the withdrawal of the Pontefract election petition. Many of these facts are still under dispute; but one thing is clear, and that is, that a great misconception has prevailed throughout, as well with regard to the intention of the parties, as also with regard to the meaning and effect of the memorandum itself. The consequence is that the election petition has never been tried, the agreement intended to be substituted for it has failed of taking effect, and the rights of the parties with regard to the seat have not been determined."

The 18th paragraph was of especial importance at the present moment:—

> "Under these circumstances, your Committee are of opinion that the petitioner should, if possible, be restored to the same position in which he stood before the agreement of the 19th of July, 1859, was signed, and before the election petition was withdrawn; but your Committee must leave it to the House to determine whether it possesses the power of restoring the petitioner to that position."

The 19th paragraph said:—

> "Your Committee have refrained from giving any opinion on the personal matters which have been brought under their notice. As the character or conduct of several parties have been more or less impugned, they have allowed a fuller latitude of statement than they would otherwise have thought right; but having done that, in order that everything which can be urged on either side may fairly be brought under the consideration of the House, they conceive that they will best discharge their duty by confining their observations to the only matter which has been specifically referred to them—namely, the allegations contained in the petition of Mr. Childers, relative to the withdrawal of the Pontefract election petition."

Now, he wished particularly to draw the attention of the hon. Member for Pontefract (Mr. Overend) and of the House to that portion of the 18th paragraph which referred to the circumstances in which Mr. Childers had been placed in connection with this petition. He would not attempt to go through all the allegations of the petition, nor would he refer to the observations occurring in the course of the Report, which seemed to indicate a strong feeling in favour of Mr. Childers on the part of the Committee. He thought, however, that when the following words of the 18th paragraph were fairly considered there was but one course open to the hon. Member for Pontefract:—

> "Under these circumstances your Committee are of opinion that the petitioner should, if possible, be restored to the same position in which he stood before the agreement of the 19th of July, 1859, was signed, and before the election petition was withdrawn."

He was sure the experience of hon. Gentlemen who had for any long time occupied seats in that assembly would lead them to the conclusion that it was quite impossible by any act of the House to restore the petitioner to the position in which he stood before the 19th of July; but the Committee had, as it appeared to him, offered in this paragraph a suggestion which was clear and patent to any man who regarded the subject with the eye of honour. If it were possible by any act of that House to replace Mr. Childers as a petitioner before a Committee in the same position in which he stood previous to the 19th of July, he thought it would be only justice to do so, because it must be remembered that for two or three months past Mr. Childers had been prepared with a large array of witnesses, who were to be produced before the Committee to establish his claim to the seat. He put it to the hon. Member for Pontefract and to any hon. Gentleman who had read the petition, and especially the Report, to say whether it was not perfectly evident that throughout the whole proceeding there was a clear understanding on the part of Mr. Childers and his agent that the seat was in issue.

MR. MALINS again rose to order, and appealed to the Speaker whether from the tone of the hon. Gentleman's speech this could be regarded as a question of privilege. The hon. Member was appealing to another hon. Gentleman, who had as good a legal right as himself to sit in that House, to ascertain whether he intended to resign his seat. It might be very convenient to the hon. Member and those who shared his views to put such a question, but he (Mr. Malins) could not see in what respect it had anything to do with the privileges of that House. The hon. Gentleman, referring to the substance of the Report, had said that there were no means by which the parties could be put into a position similar to that in which they stood before the 19th of July. He (Mr. Malins) had not had time to read the Report. ["Order."]

MR. SPEAKER said, the hon. and learned Gentleman must confine himself to the question of Order.

MR. MALINS would submit, then, whether the hon. Member for York was entitled to make an appeal to another hon. Member with the view of ascertaining whether he intended to resign his seat under pretence of raising a question of privilege.

MR. SPEAKER said, the hon. Member for York had risen to address the House on a question of privilege, relating to the compromise of the Pontefract election petition. The House had entertained that question as one of privilege, and the matter had been referred to the consideration of a Committee. The hon. Member for York was now calling the attention of the House to the circumstances that the Report of the Committee left it to the House to determine whether they possessed the power of restoring the petitioner to the position in which he stood before the 19th of July. He understood that the hon. Gentleman intended to conclude with a Motion, with the terms of which he (Mr. Speaker) was not at present acquainted; but so long as the hon. Member addressed himself to the subject of his Motion—it being for the House to decide subsequently whether that Motion could be entertained—he was not out of order.

MR. WESTHEAD resumed. It was not his intention to trespass upon the time of the House, but he thought—in the absence of the hon. Member for Birmingham (Mr. Bright), who had in the first instance brought the question under their notice, and had moved for the appointment of the Committee—that he could not move any Resolution on the subject without drawing special attention to the circumstances of the case. When he was unduly interrupted by the hon. and learned Member for Wallingford, he was going on to say that it was quite clear, from the Report of the Committee, that from the outset neither Mr. Childers nor his agent had been actuated by any corrupt motive, but that their intention from first to last was to claim the seat. He was fully convinced that that was the single object they had in view. Since then the Committee had recommended in terms so clear and decided that Mr. Childers should, if possible, be restored to the same position in which he stood before the agreement of the 19th of July, he thought it evident that there was only one way in which the House could hope to escape from the difficulty in which they were placed; for the Committee were not able to suggest any complete and satisfactory remedy, and it appeared to him that at the present moment the House of Commons was not in a position to enter into the case. If time had permitted, the House, in conformity with the recommendation of the Committee—four Members of which out of the seven he would remind hon. Gentlemen were chosen from the other (Opposition) side—might have attempted to remedy the evil in the best way they could by passing an Act which would have placed the hon. Member for Pontefract and Mr. Childers as nearly as possible in the position in which they stood before the election petition was withdrawn. The period of the Session, however, precluded the adoption of such a course, and he therefore appealed to the only person who could relieve them from the difficulty, and who could if he pleased restore to his rival his sword, and go down and fight the battle again fairly before the electors of Pontefract. He begged to move that the Report of the Committee be now read.

Mr. CRAUFURD seconded the Motion.

Motion made, and Question proposed,—"That the Report from the Select Committee on the Pontefract Election (Childers' Petition) be now read."

Mr. SELWYN said, that as a Member of the Committee, he might be pardoned for troubling the House with a few observations on this subject. He had himself proposed the 18th paragraph of the Report, and he thought the hon. Member for York had not correctly apprehended or stated the impression of the Committee with respect to that paragraph. The intention of the Committee in adopting that clause was, he believed, simply to act upon that rule which prevailed among honourable men, and which was acted upon every day in the courts of equity—namely, that when it was clear that a piece of paper which was supposed to contain the evidence of an agreement between two parties did not really represent the minds of both it should be considered a nullity, and the parties should be replaced as nearly as possible in their original position. He was sure that as soon as the hon. and learned Member for Pontefract was satisfied that there was a mistake on one side or the other—and it was the opinion of the Committee that there was a mistake on both sides—it was his desire that the parties should be replaced in their original position. With the view of effecting that object, he (Mr. Selwyn) proposed the 18th paragraph of the Report, which was adopted by the Committee. The difficulty with the Committee was, as to the manner in which this object could be accomplished. They searched for precedents, and one was found in which there had been an intention to withdraw a petition against the return for the borough of Cork, but by mistake a petition against the return for the city of Limerick was withdrawn instead. In that case the two things required by the Act in order to suspend all proceedings had been done—the petition had been *de facto* withdrawn, and the order referring the petition to a Select Committee had been discharged; but when the error was discovered, the House of Commons decided that the order for discharging the reference to the Committee was null and void, and the petition was remitted to its original position. At the same time that was not a case exactly similar to the present, because here there was a withdrawal by the agent of the petitioner. It was found that in the Norwich case an agent had withdrawn a petition without receiving proper authority from his principal, and in that instance the Committee reported almost in the very words adopted by the Committee in this case, leaving it to the House to determine what course should be pursued. After careful search, the Committee of which he was a Member were unable to find that that matter went any further, or that there had been any discussion on the subject in the House. The House was, no doubt, aware that the Act of 1848 provided, that if proceedings under an election petition had been suspended, without saying for any particular cause, but *de facto*, it should be in the power of the General Committee of Elections to place such petition at the bottom of the list, leaving it to come on in its turn. Whether there might be any difficulty in pursuing such a course in the present case it was not for him to say; but it seemed to him that if the House could get out of the difficulty arising from the wording of the Act, the petition might be remitted to the end of the list, and would then come on in its regular turn for trial, and that by this course complete justice would be done to the parties. He thought there was not the least ground for suggesting that, because misconceptions had arisen on both sides, and because this particular remedy had failed, the person in possession should give up his seat, which was the proposal of the hon. Gentleman opposite. He believed that his right hon. Colleague on the Committee (Mr. Walpole) entertained a very strong opinion that it was not competent for the House to adopt the course he had suggested. If so, it was an unfortunate thing, and the rules of that House were more strict than those of any court of law or equity. He hoped that means would be found of doing substantial justice in this instance, and for the purpose of raising the question, he would propose that the House should take the same course which had been pursued in the case of the first precedent to which he had referred—the Cork and Limerick election petition—and should declare null and void the order by which the reference of this petition had been discharged. The result would be, that one of the two things which it was necessary should coexist for suspending proceedings under the Act would no longer be in existence and there would be nothing to prevent the continuance of proceedings on the petition. The general power of the Committee of Elections would then be exercised. They would place the Pontefract petition at the bottom of the list, and instead of being tried by panels two or three, it would be tried by panels four or five. He, therefore, begged to move, that the Order discharging the reference of the Pontefract Election Petition to the General Committee of Elections be rescinded.

Amendment proposed,—

"To leave out from the word 'That' to the end of the Question, in order to add the words 'the Order made upon the 20th day of July last, for discharging the Order for referring the Pontefract Election Petition to the General Committee of Elections be discharged,' instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR GEORGE GREY differed with the Mover of the Amendment as to the power of the House to take the course which had been suggested. The precedents referred to were not applicable to the present case. The statute gave a distinct power to petitioners to withdraw their petitions, and it also prescribed the course which, when a petition had been so withdrawn, the House should adopt by directing that the order of reference to the General Committee of Elections should be discharged. When that had been done the petition was completely put an end to. The cases which the hon. and learned Member had cited were cases in which a mistake had been made by the House itself by the accidental substitution of the name of one place for another in the order discharging the reference; and undoubtedly where an error of that kind had crept in, the House might rescind the discharge of the order, with a view to reinstate the petitioners in their former position. Here, however, the circumstances were totally different, the parties having been perfectly well aware of what they were about, and the agent of the petitioner having exercised the right of withdrawing the petition with a full knowledge of the effect of that proceeding, and for the House to take the course proposed by the hon. and learned Member (Mr. Selwyn) would be to resume the authority which they had parted with under the Act. He believed that the right hon. Gentleman the Chairman of the Committee agreed with him in that view of the case. [Mr. WALPOLE assented.] The right hon. Gentleman thought that this House had no power by statute to take the course indicated by his hon. and learned Colleague; and he (Sir George Grey) confessed that his own opinion was, that the House was powerless to effect the object which the Committee had in view, and restore the parties to the position in which they were previous to the withdrawal of the petition. Under these circumstances there was but one person who could effect that object, and that was the hon. and learned Member for Pontefract himself. The hon. and learned Member could consent either to refer the matter to some gentleman to be agreed upon between him and Mr. Childers, including the scrutiny, and the seat if the scrutiny determined that he had not been duly elected; or apply for the Chiltern Hundreds, vacate his seat, and refer the question between Mr. Childers and himself to the decision of the electors of Pontefract. It was, in short, a case in which a man's own feeling of honour should determine the course to be adopted. This House was powerless to interfere, and the remedy was to be found only in the action of the hon. and learned Member for Pontefract himself.

MR. CRAUFURD said, that the mistake in this case was not similar to that which was made in the case of the Cork petition, and the House had no power to remit the petition. He was one of the members of the Committee, but was not of opinion that there was any misconception in the matter on both sides, and there was a strong opinion on the part of some of his colleagues that the misconception was only on one side. It was not by any means the unanimous opinion of the Committee, and the 12th paragraph of the Report distinctly stated, "There cannot be a doubt that Mr. Leeman acted under the strongest conviction that in the references he would be entitled to claim the seat for his client."

CAPTAIN JERVIS, having been a member of the Committee, begged to remind the House that the 17th paragraph of the Report stated that "a great misconception had prevailed throughout, as well with regard to the intention of the parties as with regard to the meaning and effect of the memorandum itself;" and that that paragraph had been carried unanimously in Committee. With reference to what had fallen from the hon. Member for York, he might add, that the idea of the hon. and learned Member for Pontefract resigning his seat never once entered the minds of the Committee. He could not refrain from observing, also, that the appointment of a Committee to investigate a matter of this sort, without having the power to come to any conclusion, struck him as singularly absurd.

Mr. MALINS quite agreed that the Committee had come to no conclusion on which the House could act. But the matter required grave consideration, and the House ought not now to be asked by the hon. Member for York to agree to his Motion.

Sir GEORGE GREY: You are only asked to hear the Report read.

Mr. MALINS: That was true, but the reading of it would occupy all the short remainder of the Session. The right hon. Member for Morpeth and the hon. Member for Cambridge University (Mr. Selwyn) took different views of the question; and yet the House was asked to decide without having an opportunity of reading either the Report or the Act of Parliament. He therefore begged to move the adjournment of the debate.

Motion made, and Question proposed—"That the Debate be now adjourned."

Sir BROOKE BRYDGES seconded the Motion.

Sir JOHN PAKINGTON: There was one point upon which, at all events, the House would be unanimous, and that was that they could not enter upon a protracted discussion at that moment. He could not help thinking that the hon. Member for York had not kept his engagement to the House. He did not understand how the hon. Gentleman's speech bore upon the question of privilege, and the Motion with which he concluded had only tended to consume time which the House could but ill spare. Not having been present when the subject was discussed the other day, he had read the proceedings upon this subject as they were reported in the public journals; and he came at once to the conclusion that the fair and right course between the parties was to replace them where they were before the withdrawal of the petition—if that could be done. But the question was, if it were possible to do so. He was aware of the high authority of the right hon. Baronet opposite (Sir G. Grey), and he was sorry to hear the decided opinion he had expressed that this course would be inconsistent with the Act of Parliament. But he would submit to the House, and he was sure that in doing so the right hon. Gentleman would not deem him wanting in proper respect towards him, whether it was competent for him or for any one Member to determine that point. He would, therefore, suggest that the sense of the House should be taken; that the hon. Member for York should withdraw what appeared to him his very useless Motion for reading the Report; and that the House should now decide whether that might or might not be done, which was the clear and equitable course—namely, to rescind the order discharging the petition, and thereby place the parties in their former position.

Mr. OVEREND said, he could assure the House that nothing could be further from his wishes than that any misunderstanding with him should have prevented Mr. Childers from having all the right to which he was entitled; and if after this discussion it appeared that anything had been done to prejudice that gentleman, and he could be remitted to the position in which he was before the memorandum was signed, he (Mr. Overend) should be glad to assist in restoring him to that position by any means in his power. If Mr. Childers thought that the memorandum should be considered a nullity, and it were possible to restore him as a petitioner against the election he would heartily assist him in such a proceeding. In fact, he (Mr. Overend) was anxious not to avoid an inquiry, inasmuch as that inquiry involved charges of personal misconduct against himself; he was desirous, therefore, that Mr. Childers should be put exactly in the same position as if no memorandum had been made. If there were an insuperable difficulty to that object being attained, all he could say was that he should deeply regret it; and he felt that in justice to Mr. Childers and himself, that gentleman ought not to be prejudiced by any misconception which had taken place on either side; and he was sure that Mr. Childers would not accuse him of wilful misconception, as he was sure he did not accuse Mr. Childers. He believed that they had both acted *bonâ fide;* and if the House was of opinion that Mr. Childers had been prejudiced by what had occurred he would, with the permission of the House, be happy to refer the matter to the right hon. Gentleman the Chancellor of the Duchy of Lancaster (Sir G. Grey) and the right hon. Gentleman the Member for Droitwich (Sir J. Pakington) to name a gentleman who should decide what was best to be done between the parties, whether as regarded the seat or any other question that might come before him. He felt that by the unfortunate misconception which had arisen he was placed in a worse position than before the agreement; but he would not complain of that now, for whether he was in a good or bad position he felt bound as a gentleman to do what was right. He was in a bad position, however, because if the question of the seat were gone into there was this difficulty, that the referee could not compel the attendance of witnesses, or administer an oath; that consequently there could be no indictment for perjury, and that he would be altogether in the hands of parties who might come forward and make any misstatement they pleased with impunity. But, let that be as it might, if the House were of opinion, that although the agreement should be rescinded, Mr. Childers could not be remitted to the position in which he would have stood had the agreement not been signed, or the petition withdrawn, he was willing to leave the two right hon. Gentlemen he had mentioned to appoint any one they chose to suggest what ought to be done by him, and he would faithfully abide by the decision.

Motion, by leave, *withdrawn.*

Question again proposed, "That the words proposed to be left out stand part of the Question."

Amendment and Motion, by leave, *withdrawn.*

Motion made, and Question proposed,

"That the Order made upon the 20th day of July last, for discharing the Order for referring the Pontefract Election Petition to the General Committee of Elections, be read, and discharged."

Mr. WALPOLE said, he was desirous to say a few words on this subject, because it was very important that the House should clearly understand what it was called upon to do, especially after the suggestion made by his hon. and learned Friend the Member for Pontefract for reinstating the parties in their previous position. If this proposition were acted upon it would give rise to this difficulty—how the parties could be reinstated in the position they were before; and this still more important question—was the House to take the matter into its own hands, and to decide, for the first time, that an Act passed expressly for the trial of controverted elections should be set aside at its own pleasure? That was not a technical but a most substantial question. By the Act of 1848 the House, to prevent party discussions in such cases, had, in concurrence with the House of Lords, enacted that a certain course should be taken upon election petitions, and had reserved to itself no power of taking any other course than that prescribed by the statute. Such being the object for which the Act was passed, it behoved them to be very careful how they broke through the legitimate form of proceeding. Certain parts of the draught Report, referring to particular clauses in that Act, had been struck out by the Committee of which he was chairman, because the Members very properly did not like to bind themselves to a specific legal opinion; and he was glad that they had adopted the paragraph suggested by his hon. and learned Friend, because it left the legal question open. But by the Act the House had delegated the whole of its authority to the General Committee of Elections when once the petition had been referred to them, and that Committee had their duty distinctly marked out for them. They had no power to alter or even suspend the course of proceeding, except in three given cases. First, they might postpone the hearing of the petition for a day or two, if, upon reason shown, they thought such a step expedient. Next, they could also suspend it on a vacancy caused by the death or resignation of the Member, in order that parties connected with the place affected by the petition might have an opportunity of considering their altered position. And, lastly, they could suspend the petition in one more instance, and in one only—namely, where another petition having been presented, it might be desirable that the two petitions should be both tried together. Further than these the General Committee of Elections had no power, neither was any further power reserved to the House itself. Independently of that, his right hon. Friend (Sir George Grey) was perfectly right in stating that where a party had the power by statute to withdraw his petition, and it was withdrawn *bonâ fide* accordingly, then by the 46th section of the Act of 1848, not only was the order discharged for referring that petition to the General Committee of Elections, but the statute went on to say that "no further proceedings should be taken thereon." That being so, and more than a fortnight—several weeks indeed—having elapsed since the withdrawal of the present petition, his opinion was they could no more restore that petition to the state in which it was before, than that they could restore any other petition that had been withdrawn. He put it to the House, then, whether they were prepared to have all these matters again brought under their notice, with all the attendant difficulties that might arise—reasons for withdrawing or not withdrawing, and other questions unpleasant to discuss and determine, and which was almost impossible for them to sit in judgment upon. On these grounds, he hoped the House would not concur in the Motion of his hon. and learned Colleague, although he entirely approved of the course adopted by his hon. and learned Friend the Member for Pontefract. That was the course which, as a man of honour and a gentleman, he ought to pursue; but it was obviously one to which the House could be no party.

Mr. EDWIN JAMES said, there could be no doubt that the right hon. Member for Cambridge University had laid down the law of that case with perfect accuracy. There was no other way of restoring Mr. Childers to the position which he ought to occupy, except by the hon. and learned Member for Pontefract accepting the Chiltern Hundreds and going to a new election. ["Oh, oh!"] That was not a party question, and he adhered to his statement.

Lord JOHN RUSSELL hoped the House would not adopt the Motion of the hon. and learned Gentleman the Member for Cambridge University (Mr. Selwyn). It was the intention of the statute to withdraw from the House the discussion of subjects of this nature, from a well-founded distrust of the House in these matters. He thought the hon. and learned Member for Pontefract had made a very fair proposal, and if it were entertained, and this Motion was negatived, as he thought it ought to be, the right hon. Member for Droitwich (Sir J. Pakington) and his right hon. Friend (Sir G. Grey) might very easily agree upon the appointment of a person to inquire into the question, and he understood the hon. and learned Gentleman (Mr. Overend) to say that he would abide by their decision. It appeared to him (Lord J. Russell) that this was the only mode in which they could arrive at a satisfactory result.

Sir JOHN PAKINGTON would suggest to his hon. and learned Friend (Mr. Selwyn), that as the opinion of the House, and especially that of one of its highest authorities, was so decidedly against the Motion, he should consent to withdraw it. He believed at the same time that it was the unanimous feeling of the House that nothing could be more strictly honourable than the course pursued by the hon. and learned Member for Pontefract.

Mr. SELWYN said, he had only been anxious to elicit the opinion of the House upon the subject, and he had no objection whatever to withdraw his Motion.

Sir GEORGE GREY agreed with the right hon. Gentleman that the hon. and learned Member for Pontefract had pursued a most fair and honourable course. He understood that the Gentleman who might be appointed referee was to have full power to go into the whole case, and to determine what should be done.

Mr. OVEREND wished in every way to accede to Mr. Childers' views; and that that Gentleman should not have reason to complain that he had been prejudiced by any act on his (Mr. Overend's) part. Mr. Childers might put his own interpretation upon the contract, and go into a scrutiny if he pleased.

Motion, by leave, *withdrawn.*

TREATY WITH CHINA.

QUESTION.

Mr. GREGSON said, he would beg to ask the Secretary of State for Foreign Affairs when he expects the Treaty with China will be ratified? whether it is the intention of Her Majesty's Government to require the Chinese fully to carry out the conditions of the Treaty? and whether the Emperor of China will be invited to accredit a permanent Ambassador to this Court?

Lord JOHN RUSSELL was understood to say that Mr. Bruce had gone to Pekin with the view of having the Treaty ratified; that it is the intention of Her Majesty's Government to require the Emperor of China to carry out the Treaty; and that, although the Emperor may not immediately accredit an Envoy to this country, it is intended to invite the Chinese Government to send an Ambassador to the British Court.

RELATIONS WITH PORTUGAL AND TURKEY.—QUESTION.

Mr. AYRTON said, he wished to ask the Secretary of State for Foreign Affairs what steps have been taken to obtain compensation from the Government of Portugal for the seizure of the *Herald*; and also to obtain compensation from the Ottoman Government for the injuries and losses inflicted on British subject at Jeddah ?

Lord JOHN RUSSELL said, that compensation had been demanded from the Portuguese Government, and that although speedy progress had not been made with the subject, it should not be lost sight of. With regard to the affair at Jeddah an arrangement had been made for compensation, but none had as yet been paid.

ALI MOORAD.—QUESTION.

Mr. DANBY SEYMOUR said, he rose to ask the Secretary of State for India whether any or what instructions have been sent to the local Governments in India to inquire into and settle the claims of Meer Ali Moorad for the restoration of a portion of his territory ?

Sir CHARLES WOOD :—Sir, no instruction has been sent out or determined upon for the restoration of territory to Meer Ali Moorad, but instructions had been sent out to the Indian Government to consider in what way the loyalty and services of Meer Ali Moorad might be acknowledged.

THE AFFAIRS OF ITALY.

QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Secretary of State for Foreign Affairs, if the interest of the public service permits, whether the latest information he has received gives him reason to continue to think that there still exists no intention, on the part either of France or of Austria, to attempt to restore the late Dynasties of Parma, Modena, and Tuscany, by the employment of military force? And, whether he is in possession of any authentic information as to the statement in an official journal at Vienna, that the Red Republic had been proclaimed at Parma, the Piedmontese driven from the city, and that property-holders and friends of order were taking flight?

Lord JOHN RUSSELL said, he had stated to the House some time since the whole of the official information he possessed with respect to the intentions of the Governments of France and Austria as to the Duchies, and he had not received any official information since that time which altered the character of the statement he then made. There had been no advance, and the question remained, as far as he knew, in the same position as when he had made a communication on the subject to the House. With regard to the hon. Gentleman's second question, he had no official information as to the rumour that had appeared in the Vienna journal, and which seemed to have been derived from some private source.

SESSIONAL ORDER.—KINGSTON-UPON-HULL.—NEW WRIT.

Mr. MALINS moved that the

Order made upon the 27th day of July last,

> "That, in all cases where the Seat of any Member has been declared void by an Election Committee on the ground of Bribery, no Motion for the issuing of a New Writ shall be made without two days' previous notice being given in the Votes," be read.

He said that if the Motion were agreed to, he should follow it up by moving the issue of a New Writ for Hull, a course which was recommended by the Chairman of the Committee, and was also unanimously approved of by the Committee themselves.

Mr. DARBY GRIFFITH had a decided objection to this proceeding. The Committee had reported in terms of great ambiguity that bribery had been committed at the late election for Hull, though they had not fixed it in the ordinary terms upon the sitting Member or his agents. He should like to know, however, what were the grounds upon which Mr. Hoare had been unseated, if it were not that bribery had been practised on his behalf. The fact was, that they had unseated the Member for bribery, and had left the borough to go scot-free; and he thought the excuse which was offered the previous night by the other hon. Member for Hull (Mr. Clay) was a most remarkable one; that the borough had been worse on former occasions, and was getting better now. He (Mr. Darby Griffith) was tired of administering small doses of purity; and the time had arrived when, in his judgment, the state of the borough of Hull ought to be inquired into.

Mr. CLAY, without at all questioning the legality of the Committee's decision, would state upon his honour as a gentleman that he believed there was hardly any place of the same size in the country where elections were conducted with greater purity than in Hull.

Mr. MELLOR said, that if the Report had stated the facts properly, it would have stated that the 300 persons bribed had been bribed by the agents of Mr. Hoare without his knowledge or consent ; and why it had been drawn up in its present form he was at a loss to understand. He did not object to the issue of the writ; but he could not help saying that the form of bribery which appeared to have been practised at Hull was most dangerous, because it was most plausible.

Sir GEORGE GREY said, the unavoidable inference from the Report of the Committee was, that the sitting Member (Mr. Hoare) had by his agents been guilty of bribery, and as the Committee had declared the election void, he came to the conclusion that that decision was arrived at on the ground of bribery. He had, therefore, objected yesterday, to the issue of a new writ being ordered as a matter of course. The Members of the Committee who were then present expressed their opinions that there was nothing in the evidence which ought to prevent the issue of the writ; and he therefore suggested, as it was impossible to give the two days' notice required by the Sessional Order, that its suspension should be moved to-day, when the House could determine upon consideration, whether or not a writ ought to issue. As the Chairman of the Committee had moved that the evidence be laid before the House, he had thought there would be some difficulty with respect to the issue of the writ; but it had been stated that that course was not taken with any view to ulterior proceedings. He did not see, therefore, that there was any reason for suspending the writ.

Mr. EDWIN JAMES said, there could be no doubt the late Member for Hull had been unseated on the ground of bribery; but the question was, to what extent the constituency, consisting of some 5,000 electors, was to be punished. Hull was a borough of great commercial importance, and the suspension of the writ was in fact a temporary disfranchisement of the constituency. The Committee had not reported that corruption prevailed to any extent, and he thought, therefore, there was no ground for suspending the issue of the writ.

Mr. H. BERKELEY rose to express his opinion that they were in a precious mess. Every constituency protested, of course, that it was most virtuous; but unfortunately throughout the country they had been very much bribed and bought. In his opinion the House was proceeding in a peddling manner, and some great measure of reform was requisite to free the country from this disgrace. People out of doors did not believe that the House were in earnest when they declared in favour of purity of election. People out of doors, too, were determined to look into it, and the sooner the House complied with the wish of the people, the better it would be for their respectability.

Motion *agreed to.*

Order read and *discharged.*

Then on the Motion of Mr. Malins, a New Writ was ordered to be issued for Kingston-upon-Hull, *in the room of* Joseph Hoare, esquire, Void Election.

HYTHE MUSKETRY SCHOOL.—VOLUNTEER CORPS.

PAPERS MOVED FOR.

Lord ELCHO, in moving for copies of any Reports relative to the instruction of Volunteers in the Government Musketry School at Hythe, said he believed those reports would show that the volunteers who had placed themselves under instruction had applied themselves with a diligence and ability beyond all praise, and that they had distinguished themselves more than the officers of the regular army who had received instruction in the same school. He was desirous also to obtain, before the House separated for the recess, a clear statement from the Secretary for War of what were the views and intentions of the Government with respect to volunteers. He regretted that the noble Lord at the head of the Government had spoken of these corps with ridicule, and had talked about "the rifle corps fever" as an epidemic. He would ask if it really were the earnest wish of the Government to have volunteer rifle corps formed, otherwise those who had joined them were wasting their time. Did the Government look to the formation of rifle corps as an important and permanent element of national defence? If they did, and made a patriotic appeal to the country in their favour, he was certain it would be most heartily responded to. On the other hand, if they did not, and had acted not in earnest, but only to gratify the wishes of persons, and allow them like children to play at soldiers, let them say so to the volunteers, and the corps would be at once abandoned.

Mr. SIDNEY HERBERT said, he was somewhat at a loss to understand on what ground his noble Friend entertained doubts as to the intentions of the Government on the subject. The noble Lord had said that his noble Friend at the head of the Government had, in the course of debate casually used some such expression as "the rifle corps fever;" but, although such an expression might have fallen from his noble Friend, he could only say that he (Viscount Palmerston) was the first to sanction the formation of these volunteer corps, at a time when there was no very decided popular feeling in their favour. He thought that fact was a much stronger indication of his noble Friend's opinions than any casual expression which he might have used in debate. So far as the Government generally were concerned, he must say that if they wished to discourage the formation of volunteer corps they had been singularly unfortunate, for at this moment there were upwards of ninety corps in process of formation, and proposals had been made to Lords-lieutenant for the establishment of a considerable number of additional corps, with regard to which no official communications had been made to the Government. These corps would, no doubt, soon constitute a very numerous force; but if they were regarded as substitutes for any portion of the regular army he thought a great mistake would be made. He had himself given them every encouragement and facility in his power, because he was satisfied the gentlemen who formed those corps did not themselves wish to be put on the footing of substitutes for the army; but great advantages might undoubtedly result from the existence of auxiliary corps of this description, consisting of persons who went through a regular drill, and made themselves masters of the weapons with which they were to be armed. He would readily produce the Report of General Hay, and as it was extremely honourable to the volunteers, he would beg to read it to the House. General Hay said:—

> "I have the honour to forward, for the information of his Royal Highness the General Commanding-in-Chief, the enclosed return of the results of the performance in shooting of the noblemen and gentlemen of the rifle volunteer corps, who have just completed a course of instruction at this establishment, and to report, in reference to the method pursued, that the morning was devoted to carrying out a detail of daily work, as per annexed statement, so modified as to meet the requirements of a volunteer company, the members of which it is presumed will not be able to devote more than two hours and a-half daily to the musketry drill and practice. The desire, however, on the part of these volunteers to become fully acquainted with every detail connected with the system and the method of working it was so great that the whole day was spent in acquiring this information. Proficiency in the several practices being always measured by a figure, I am enabled to draw a comparison of the shooting of these volunteers with that of parties of officers (averaging from 40 to 45) in the last three courses. The result is in favour of the volunteers, the highest figure of the former being 46·94, of the latter 47·07 points. I have confined the comparison to the shooting of the officers, as from their superior intelligence they always (when subjected to the same amount of preliminary drill) beat the men. When it is considered that these volunteers were composed of noblemen and gentlemen most of whom had never fired with a rifle before, and not any at a longer distance than about 200 or 300 yards, and when the short period of six days allotted to the performance of the preliminary drills is taken into account, it not only affords the most convincing proof of the energy and intelligence brought to bear on the work in which these volunteers were engaged, but at the same time it points clearly to the great benefit the country will derive from enlisting the services of the educated classes of the population in the movement which is now in progress for the enrolment of volunteers for rifle companies and corps. I do not hesitate to say that if the training of these volunteers is regulated by a well detailed system which will insure a preliminary preparation before practice is allowed to take place, that in a few years a most important reserve (comprising as it will a class of persons who never enter the regular army or militia, but who from their education and intelligence are eminently qualified to make the very best 'marksmen') will be at all times available, and afford a most valuable and permanent addition to our national defences. The interest taken by the noblemen and gentlemen herein referred to in the practice convinces me that rifle shooting, if properly conducted, cannot fail to prove henceforth one of the most interesting of our national amusements. I feel it right to observe, however, that unless rifle training is conducted on a proper (and I would venture to recommend a uniform) system, utter failure will ensue. We shall have rifle corps in name, but not in reality."

He thought the warning of the gallant officer was not without its value; but he could only say that the Government were glad to have an opportunity of expressing their gratitude for the exertions which were being made on this subject, and he was satisfied, from communications he had had from many gentlemen who were engaged in the formation of these corps, that there was no intention on their part of merely playing at soldiering, but that they were willing, by drill and practice, to render themselves efficient for the defence of the country in case of need.

Lord ELCHO expressed the satisfaction with which he had heard the reply of his right hon. Friend. He had in his hand a letter from General Hay, in which the writer gave the opinion that very little ordinary drill was requisite for volunteers.

Mr. H. BERKELEY thanked the noble Lord for bringing that question forward, and also declared himself satisfied with the reply of the Secretary of State for War. It would be extremely agreeable to his constituents, who had taken a leading part in that movement to read the account of that debate. For himself he had no doubt that if, in addition to the regular army, we had 100,000 men, well instructed in the use of the rifle, that was the sort of thing that would prevent panics in the country. The country was indebted to the press for its advocacy of such a force, in urging the establishment of which the press was not amenable to the charge of doing that which was offensive to Foreign Governments. What was it to us what any other Government might say or think? It was for us to adopt the measures required for our protection, and which tended to check the sinking of the funds and the rising of the panics.

Viscount **PALMERSTON**: I am sure that nothing could have been further from my mind than to have made use of any expression which could be construed into any disparagement of the Volunteer Rifle and Artillery Corps. No such intention existed in my mind, and I am profoundly sensible of the great importance of a serious movement of the sort such as had been referred to. In some cases, probably, the movement is not a very serious one, and there are some instances where there are persons who would think it very convenient to meet together to have a little rifle shooting, with power to withdraw from the corps at any time with fourteen days' notice. So far from being indisposed to, or undervaluing the movement, I can only say that when I was in office before, I took steps—I am afraid not very successful ones—to induce the formation of artillery corps in different seaport towns, I gave the sanction of the Government to the formation of the Victoria Rifles in London, and of a rifle corps in the south of Devon. I think if the country is really impressed, as it ought to be, with a feeling of the great importance of having some organization of this sort as a permanent system of national defence—not in substitution of other forces, but in addition to them—and if those who enter into these corps will enter with a full intention to remain, and be available when any occasion may unfortunately occur, I am sure that the Government will feel it their duty to give them every possible encouragement. I can only repeat the opinion I have formerly expressed of the great advantage of the Artillery Corps on the Coast of England, and especially at those seaport towns where much valuable property may be exposed to attack by the small forces of an enemy's cruisers.

Captain **LEICESTER VERNON** expressed his opinion that there was no country in the world so well adapted for the action of rifle corps as England, owing to it being so much enclosed and divided into different farms. Those who joined our volunteer corps, however, could not turn these advantages to account unless they had arms, and it appeared that the Government were to supply no more than 25 per cent of the weapons required. He was therefore anxious to know from the Secretary of State for War what market was likely to supply the requisite quantity of arms?

Mr. **SIDNEY HERBERT** said, the Government were obtaining arms not only from their own factory at Enfield, but from Liege, Birmingham, and every place capable of furnishing them.

Captain **LEICESTER VERNON** said, there was a belief abroad that the Liege and Birmingham markets would not afford a sufficient supply, and it was most desirable that, when the riflemen had been raised they should have arms put into their hands.

Copies *Ordered*, "of any Reports relative to the instruction of Volunteers in the Government Musketry School at Hythe."

Copies *presented* accordingly; to lie on the Table, and to be *printed.*

CATHOLIC CHARITIES BILL.

Mr. **HENNESSY** said, that in the absence of his learned friend the Member for Dundalk (Mr. Bowyer), he begged leave to introduce a Bill relating to Catholic Charitable Trusts. He was bound to say that he was not aware of the existence of a single case requring specific legislation; and the necessity of introducing a Bill of this sort was rather forced upon the Catholics than sought for by them. When the subject was under discussion a few days ago the hon. Member for North Warwickshire said that "Cardinal Wiseman was a *legate a latere*, and that as such he exercised temporal authority." Now he (Mr. Hennessy) was authorized to give that statement the most unqualified contradiction. He was commanded by the Cardinal Archbishop of

Westminster to inform the House that there was not the slightest foundation for what the hon. Member (Mr. Newdegate) had said. The high jurisdiction which his Eminence exercises in these realms is purely ecclesiastical and spiritual. It has nothing whatever to say to temporal affairs.

Bill to amend the Law regarding Roman Catholic Charitable Trusts *presented* and read 1°.

PROROGATION OF THE PARLIAMENT.

Message to attend the LORDS COMMISSIONERS.

The House went, and the ROYAL ASSENT was given to several Bills ; and aferwards a Speech of the LORDS COMMISSIONERS was delivered to both Houses by the LORD CHANCELLOR.

Then a Commission for proroguing the Parliament was read.

After which,

THE LORD CHANCELLOR said :

My Lords and Gentlemen,

By virtue of Her Majesty's Commission, under the great Seal to us and other Lords directed and now read, we do in Her Majesty's name, and in obedience to Her Commands, prorogue this Parliament to *Thursday the Twenty-seventh* day of *October* next, to be then here holden ; and this Parliament is accordingly prorogued to *Thursday* the *Twenty-seventh* day of *October* next.

A

TABLE OF ALL THE STATUTES

PASSED IN THE FIRST SESSION OF

THE EIGHTEENTH PARLIAMENT OF THE UNITED KINGDOM

OF GREAT BRITAIN AND IRELAND.

22° & 23° *VICT.*

PUBLIC GENERAL ACTS.

I. AN Act to provide for the Authentification of certain Orders of the Privy Council in the Absence of the Clerk of the Council in Ordinary.

II. An Act to apply the Sum of Seven Millions out of the Consolidated Fund to the Service of the Year One thousand eight hundred and fifty-nine.

III. An Act to amend and make perpetual "The Public Health Act, 1858."

IV. An Act to amend the Act for the better Administration of Criminal Justice in *Middlesex.*

V. An Act to remove doubts as to the Qualification of Persons holding Diplomatic Pensions to sit in Parliament.

VI. An Act to enable Serjeants, Barristers-at-Law, Attorneys, and Solicitors, to practise in the High Court of Admiralty.

VII. An Act to amend an Act of the Seventeenth and Eighteenth Years of Her Majesty, for allowing Verdicts on Trials by Jury in Civil Causes in *Scotland* to be received, although the Jury may not be unanimous.

VIII. An Act to amend the Act of the Twentieth and Twenty-first Years of *Victoria,* Chapter Forty-five, relating to the Survey of Boundaries in *Ireland.*

IX. An Act to provide for the Exercise of the Duties of Chief Superintendent in *China* in certain Cases.

X. An Act to empower the Legislature of *Canada* to make Laws regulating the Appointment of a Speaker of the Legislative Council.

XI. An Act to confirm certain Provisional Orders under the Local Government Act (1858).

XII. An Act to repeal, as regards the Colony of *Victoria,* and to enable other Colonial Legislatures to repeal, certain Provisions of the Imperial Acts of the Fifty-fourth Year of *George* the Third, Chapter Fifteen, and of the Fifth and Sixth years of *William* the Fourth, Chapter Sixty-two.

XIII. An Act to enable Her Majesty to confirm an Act passed by the Legislature of *Antigua* intituled *An Act to extend the Operation of the Laws of* Antigua *to the Island of* Barbuda.

XIV. An Act to amend an Act of the Thirty-ninth and Fortieth years of King *George* the Third, for better regulating the Business of Pawnbrokers.

XV. An Act to suspend the making of Lists and the Ballots for the Militia of the United Kingdom.

XVI. An Act to enable the Commissioners of Her Majesty's Works to acquire a Site for the Purposes of Her Majesty's Court of Probate, and other Courts and Offices.

XVII. An Act to prevent Vexatious Indictments for certain Misdemeanors.

XVIII. An Act for granting to Her Majesty additional Rates of Income Tax; and to reduce the Period of Credit allowed for Payment of the Excise Duty on Malt.

XIX. An Act to repeal Part of an Act passed in the Thirteenth Year of *Elizabeth,* Chapter Twenty-nine, concerning the several incorporations of the Universities of *Oxford* and *Cambridge,* and the Confirmation of the Charters, Liberties, and Privileges granted to either of them.

XX. An Act to amend and consolidate the Laws relating to Military Savings Banks.

XXI. An Act to regulate the Office of Queen's Remembrancer, and to amend the Practice and Procedure on the Revenue Side of the Court of Exchequer.

XXII. An Act to amend the Acts relating to the Constabulary Force in *Ireland.*

XXIII. An Act to continue certain Acts relating to the Collection of County Cess in *Ireland.*

XXIV. An Act to remove Doubts as to Admission to the Office of Principal in the Universities of *Scotland.*

XXV. An Act to continue certain Acts relating to Linen, Hempen, and other Manufactures in *Ireland.*

XXVI. An Act to make further Provision for the Regulation of the Trade with the *Indians,* and for the Administration of Justice in the North Western Territories of *America.*

XXVII. An Act to repeal the Thirty-first Section of the Act of the Sixteenth and Seventeenth Years of *Victoria,* Chapter Ninety-five, and to alter the Limit of the Number of *European* Troops to be maintained for Local Service in *India.*

XXVIII. An Act to amend the *Galway* Harbour and Port Act (1853).

XXIX. An Act to repeal a certain Toll levied upon Fishing Vessels passing the *Nore.*

XXX. An Act to extend the Enactments relating to the Copper Coin to Coin of mixed Metal.

XXXI. An Act to amend the Law relating to Probates and Letters of Administration in *Ireland.*

XXXII. An Act to Amend the Law concerning the Police in Counties and Boroughs in *England* and *Wales.*

XXXIII. An Act to confirm certain Provisional Orders made under an Act of the Fifteenth Year of Her present Majesty, to facilitate Arrangements for the Relief of Turnpike Trusts.

XXXIV. An Act to continue the Powers of the Commissioners under an Act of the Ninteenth and Twentieth Years of Her Majesty, concerning the University of *Cambridge* and the College of King *Henry* the Sixth at *Eton.*

XXXV. An Act to further amend the Law of Property and to relieve Trustees.

XXXVI. An Act to alter The Stamp Duties payable upon Probates of Wills and Letters of Administration, to repeal the Stamp Duties on Licences to exercise the Faculty of Physic, and to amend the Laws relating to Hawkers and Pedlars.

XXXVII. An Act for the Amendment of the Laws relating to the Customs.

XXXVIII. An Act further to amend the Laws relating to the Militia.

XXXIX. An Act to enable the Secretary of State in Council of *India* to raise Money in the United Kingdom for the Service of the Government of *India.*

XL. An Act for the Establishment of a Reserve Volunteer Force of Seamen, and for the Government of the same.

XLI. An Act to amend the Act for the better Government of *India.*

XLII. An Act to provide for the Establishment of a Reserve Force of Men who have been in Her Majesty's Service.

XLIII. An Act to amend and extend the Provisions of the Acts for the Inclosure, Exchange, and Improvement of Land.

XLIV. An Act to continue the Act for the exemption of Stock in Trade from Rating.

XLV. An Act to continue certain Temporary Provisions concerning ecclesiastical Jurisdiction in *England.*

XLVI. An Act to continue and amend the Act concerning the Management of Episcopal and Capitular Estates in *England.*

XLVII. An Act to authorize the Inclosure of certain lands in pursuance of a Special Report of the Inclosure Commissioners of *England* and *Wales.*

XLVIII. An Act to continue the Corrupt Practices Prevention Act, 1854.

XLIX. An Act to provide for the Payment of Debts incurred by Boards of Guardians in Unions and Parishes and Boards of Management in School Districts.

L. An Act further to Continue the Exemption of certain Charities from the Operation of the Charitable Trusts Acts.

LI. An Act to continue certain Turnpike Acts in *Great Britain.*

LII. An Act to amend the Laws, relating to the Police District of *Dublin* Metropolis.

LIII. An Act to enable Charitable and Provident Societies and Penny Savings Banks to invest all their Proceeds in Savings Banks.

LIV. An Act to defray the Charge of the Pay, Clothing, and Contingent and other expenses of the Disembodied Militia in *Great Britain* and *Ireland;* to grant Allowances in certain Cases to Subaltern Officers, Adjutants, Paymasters, Quartermasters, Surgeons, Assistant Surgeons, and Surgeons' Mates of the Militia; and to authorize the Employment of Non-commissioned Officers.

LV. An Act to apply a sum out of the Consolidated Fund and the Surplus of Ways and Means to the Service of the Year One thousand eight hundred and fifty-nine; and to appropriate the Supplies granted in this Session of Parliament.

LVI. An Act to amend the Act of the Fifth and Sixth Years of King *William* the Fourth, Chapter Sixty-three, relating to Weights and Measures.

LVII. An Act limiting the Power of Imprisonment for small debts exercised by the County Court Judges.

LVIII. An Act to empower the Commissioners of Her Majesty's Works and Public Buildings to acquire additional space for the Western Approach to *Westminster* New Bridge.

LIX. An Act to enable Railway Companies to settle their Differences with other Companies by Arbitration.

LX. An Act to extend the Powers of an Act passed in the Thirteenth and Fourteenth Years of Her Majesty, Chapter One hundred and eleven, relating to the laying down of Railways at *Holyhead* Harbour.

LXI. An Act to make further Provision concerning the Court for Divorce, and Matrimonial Causes.

LXII. An Act to amend the *Irish* Bankruptcy and Insolvency Act (1857).

LXIII. An Act to afford Facilities for the more certain Ascertainment of the Law Administered in one Part of Her Majesty's Dominions when pleaded in the Courts of another Part thereof.

LXIV. An Act to remove Doubts as to the Validity of certain Marriages of *British* Subjects at *Lisbon.*

LXV. An Act for amending the Acts for the better Regulation of Divisions in the several Counties of *England* and *Wales.*

LXVI. An Act for regulating Measures used in Sales of Gas.

LOCAL AND PERSONAL ACTS,

DECLARED PUBLIC,

AND TO BE JUDICIALLY NOTICED.

i. AN Act for authorizing the Construction of a Railway for carrying the *West London* Railway over the *Great Western* Railway by means of a Bridge, in substitution for the present level Crossing; and for other Purposes.

ii. An Act for enabling the *London and North Western* Railway Company to make a Railway from their existing Line at *Edge Hill* in the County of *Lancaster* to the *Saint Helen's* Railway near *Garston* in the same County; and for other Purposes.

iii. An Act to enable the *Caledonian* Railway Company to make Branch Railways to the *Wilsontown* Mineral Field; and for other Purposes.

iv. An Act to incorporate the *Red Sea and India* Telegraph Company, and for enabling the Company to establish and work Telegraphs between *Great Britain* and *India* and other Countries; and for other Purposes connected therewith.

v. An Act to provide for the Partition of the *London Road* Station at *Manchester*, and for the better Management of certain Portions of the said Station, and for improving the Access thereto.

vi. An Act for making Railways from *Pembroke Dock* to *Tenby*, and from *Pembroke Dock* to the Pier at *Hobbs Point*, in the County of *Pembroke*.

vii. An Act to amend the Provisions of the *Tyne* Improvement Acts, to authorize an Alteration of the Piers at the Mouth of the River, and for other Purposes.

viii. An Act to alter and consolidate the Acts relating to the *Great North of Scotland* Railway Company; to regulate and define the Company's Capital; and for other Purposes.

ix. An Act to enable the *Kingston-upon-Thames* Gas Company to raise further Moneys by Shares and borrowing

x. An Act to enable the *North-eastern* Railway Company to make a Branch from their *Leeds and Thirsk* Railway to *Pateley Bridge;* to acquire additional Lands; and for other Purposes.

xi. An Act for the *Reading* and *Hatfield* Turnpike Roads in the Counties of *Berks*, *Bucks*, *Oxford*, and *Hertford*.

xii. An Act for the Completion of the *Gateshead* Quay in the Borough of *Gateshead*, and for authorizing Arrangements with the *North-eastern* Railway Company with respect to the User of Parts thereof; and for other Purposes.

xiii. An Act to extend the Time for making the *Hampstead Junction* Railway, to authorize certain Deviations in the Line thereof, and for other Purposes.

xiv. An Act to Amalgamate the *Selkirk and Galashiels* Railway Company with the *North British* Railway Company, and for other Purposes.

xv. An Act for authorizing the *Lymington* Railway Company to acquire the Ferry across the *Lymington* River, and to raise further Capital; and for other Purposes.

xvi. An Act for making a Railway from the *Wofferton* Station of the *Shrewsbury and Hereford* Railway in the County of *Hereford*, to a Point near *Tenbury* in the County of *Worcester;* and for other Purposes.

xvii. An Act to enable the *Worcester and Hereford* Railway Company to make a Branch Railway to the *Severn* at *Worcester*, and to enlarge their Station at *Hereford;* and for other Purposes.

xviii. An Act for enabling the *Dundee and Perth and Aberdeen* Railway Junction Company to improve the *Dundee and Newtyle* Railway; and for other Purposes.

xix. An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Salford*, to raise a further Sum of Money for improving their Gasworks; and for other Purposes.

xx. An Act to authorize the Construction of Docks and other Works on the South Shore of the River *Thames*, to be called "The *Greenwich and South-eastern Docks*."

xxi. An Act for conferring on *Price's* Patent Candle Company, Limited, further Powers for the raising of Money; and for other Purposes.

xxii. An Act for authorizing divers Arrangements between the *Vale of Neath* Railway Company and other Companies, having Railways or other Works near to the *Vale of Neath* Railway, and for regulating the Capital and Borrowing Powers of the Company, and for other Purposes.

xxiii. An Act to alter and amend the Acts relating to the *Atlantic* Telegraph Company; and to enable the Company to raise additional Capital; and for other Purposes.

xxiv. An Act to authorize the *North British* Railway Company to make a Railway from their *Hawick* Line to the *Port Carlisle* Railway near *Carlisle*, with divers branches therefrom; and for other Purposes.

xxv. An Act to repeal an Act passed in the Eleventh Year of the Reign of King *George* the Fourth, Chapter 110, intituled *An Act for more effectually repairing the Road from* Carlisle *to* Penrith *and from* Penrith *to* Eamont

Bridge *in the County of* Cumberland; and to make other Provisions in lieu thereof.

xxvi. An Act for making a Railway from *Much Wenlock* in the County of *Salop* to communicate with the *Severn Valley* Railway, and the River *Severn* in the same County.

xxvii. An Act for making a new Street from near *Foundry Bridge* to *King Street,* in the City and County of the City of *Norwich.*

xxviii. An Act to repeal the Acts relating to the Company of Proprietors of the *Liverpool* Exchange, and to Incorporate the *Liverpool* Exchange Company; and for other Purposes connected therewith.

xxix. An Act to authorize the raising of a further Sum of Money for the Completion of the *Castle Douglas and Dumfries* Railway, and to sanction a Deviation from the authorized Line of that Railway.

xxx. An Act to authorize the Construction of a Tramway from the *Llanidloes and Newtown* Railway near *Newtown* to the *Shropshire Union* Canal; and to enable the *Llanidloes and Newtown* Railway Company to lease their Undertaking; and for other Purposes.

xxxi. An Act for authorizing an Amalgamation or Lease of the *Portsmouth* Railway with or to the *London and South-western* Railway Company, and for other Purposes.

xxxii. An Act to extend the Time for the Sale of such Lands belonging to the Company of Proprietors of the *Forth and Clyde* Navigation as may not be required for the Purposes of the said Navigation.

xxxiii. An Act for authorizing the *Hertford, Luton, and Dunstable* Railway Company to raise further Capital for the Purposes of the *Hertford* Section of their Railway; and for extending the Period for the Completion of the *Luton* Section of their Railway; and for other Purposes.

xxxiv. An Act to enable the *Maybole and Girvan* Railway Company to raise additional Capital; to authorize a Deviation of their Line; and for other Purposes.

xxxv. An Act for the Transfer of the *Caterham* Railway to the *South-eastern* Railway Company; and for other Purposes.

xxxvi. An Act to revive and extend the Powers of the *Bagenalstown and Wexford* Railway Company for the Purchase of Lands, and to extend their Powers for completing their Undertaking, and to enable them to make a Deviation in the Line of their Railway, and to increase the Powers of the said Company for borrowing on Mortgage; and to enable the *Great Southern and Western* Railway Company to subscribe towards the said Undertaking; and to enable the said Companies to make Working and Traffic Arrangements; and for other Purposes.

xxxvii. An Act to enable the *Dublin and Drogheda* Railway Company to create Debenture Stock, and to issue new Shares for redeeming existing Preference Shares subject to Redemption, and to enlarge their Station at *Dublin;* and for other Purposes.

xxxviii. An Act to enable the *Newry and Armagh* Railway Company to make Alterations in their authorized Line of Railway, and to construct a short Branch at *Newry.*

xxxix. An Act to incorporate "The *Norwich* Corn Exchange Company, Limited," and to define and regulate their Undertaking.

xl. An Act to authorize the Abandonment of the *Gloucester and Cheltenham* Tramroads, and to enable the *Midland* and the *Great Western* Railway Companies to sell and dispose of the same; and for other Purposes.

xli. An Act to enable the *Ulster* Railway Company to extend their Railway from *Monaghan* to *Clones,* and to enlarge their Stations at *Belfast* and *Portadown,* and to make Arrangements with the *Dundalk and Enniskillen* Railway Company, and to create Debenture Stock; and for other Purposes.

xlii. An Act for authorizing the *Bury Saint Edmunds* Gas Company to raise further Capital; and for regulating their Capital; and for other Purposes.

xliii. An Act for authorizing the *Border Counties* Railway Company to make and maintain the *Liddesdale* Section of their Railway, and Deviations from the Line of the *North Tyne* Section of their Railway, and to raise further Capital; and for other Purposes.

xliv. An Act for authorizing the *London and South-western* Railway Company to make new Works, and to raise further Funds; and for other Purposes.

xlv. An Act for making a Railway to *Sevenoaks;* and for other Purposes connected therewith.

xlvi. An Act for connecting the Town of *Witney* with the existing Railways in the Parishes of *Yarnton and Wolvercot* in the County of *Oxford* and for other Purposes.

xlvii. An Act to extend the Period limited by "The *Swansea* Harbour Act, 1854," for the Construction and Completion of the Works thereby authorized.

xlviii. An Act to enable the *Great Northern and Western (of Ireland)* Railway Company to extend their Railway to *Castlebar;* and for other Purposes.

xlix. An Act for incorporating the *National* Fire and Life Insurance Company of *Scotland* by the Name of "The *Scottish National* Insurance Company," for enabling the Company to sue and be sued, and to take and hold Property; and for other Purposes relating to the Company.

l. An Act to confer further Powers on the *Londonderry and Lough Swilly* Railway Company for the Completion of their Railway.

li. An Act to enable the *Dundalk and Enniskillen* Railway Company to make new Lines of Railway to *Cavan* and *Belturbet;* and for other Purposes.

lii. An Act to regulate the Capital and Undertaking of "The *City of London* Gaslight and Coke Company," and to reincorporate that Company.

liii. An Act to enable the *Midland Great Western* Railway of *Ireland* Company, to construct a Branch Railway to the River *Liffey;* and for other Purposes.

liv. An Act to change the name of the *East Kent* Railway Company, and for other Purposes connected with the Undertaking.

lv. An Act for making a Railway from the *Midland* Railway to or near the Town of *Mountsorrel* in the County of Leicester.

lvi. An Act for authorizing the *Somerset Central* Railway Company to lay down Narrow Guage Lines of Rails on their Railways, and to raise further funds; and for regulating their Capital and Borrowing Powers; and for other Purposes.

lvii. An Act for vesting the *Sunderland* Docks in the Commissioners of the River *Wear;* for enabling the Commissioners to execute certain Works; for amending the Provisions of the Acts relating to the Docks and River; and for other Purposes.

lviii. An Act for better supplying with Water Parts of the Parishes of *Bebbington* and *Woodchurch* in the County of *Chester;* and for other Purposes.

lix. An Act to incorporate a Company for making Railways to supply Communication to the District between *Merthyr and Abergavenny;* and for other Purposes.

lx. An Act for making a Dock with other Conveniences in the *Camber* at *Portsmouth;* and for other Purposes.

lxi. An Act for incorporating "The *Tottenham and Edmonton* Gaslight and Coke Company," and extending their Powers; and for other Purposes.

lxii. An Act to enable the *Midland Great Western* Railway of *Ireland* Company to abandon a Portion of their authorized Line between *Longford* and *Boyle,* and to construct a new Line in substitution therefor; and for other Purposes.

lxiii. An Act for making a Railway from *Llanidloes* in the County of *Montgomery* to *Newbridge* in the County of *Radnor,* to be called "The *Mid-Wales* Railway;" and for other Purposes.

lxiv. An Act for making a Railway from the *Shrewsbury* and *Chester* Section of the *Great Western* Railway near *Ruabon* in the County of *Denbigh* to the Town of *Llangollen* in the same County; and for other Purposes.

lxv. An Act to enable the *Stokes Bay* Railway and Pier Company to raise additional Capital.

lxvi. An Act to repeal an Act passed in the Fifth Year of the Reign of His Majesty King George the Fourth intituled *An Act for widening, improving, and maintaining the Turnpike Road leading from the City of* Worcester, *through* Droitwich *to* Spadesbourne Bridge *within the Parish of* Bromsgrove *in the County of* Worcester *and other Roads therein mentioned;* and for granting more effectual Powers in lieu thereof.

lxvii. An Act to repeal an Act passed in the Tenth Year of the reign of His Majesty King *George* the Fourth, intituled *An Act for repairing the Road from* Hinckley *to* Melbourne Common, *and other Roads communicating therewith, in the Counties of* Leicester and Derby; and granting more effectual Powers in lieu thereof.

lxviii. An Act for making Railways in the District between *Brecon* and *Merthyr Tydfil;* and for other Purposes.

lxix. An Act to enable the *London, Brighton and South Coast* Railway Company to make certain Alterations in their existing and authorized Railways; to make a new Railway at *Norwood;* to acquire additionl Lands for Station Accommodation, and to purchase or take on Lease other Undertakings; and for other Purposes.

lxx. An Act to amend "The *Tweed* Fisheries Act 1857," and to alter the Annual Close Times in the River *Tweed.*

lxxi. An Act to authorize the *Bradford, Wakefield, and Leeds* Railway Company to raise a further sum of Money; and for other purposes.

lxxii. An Act for the Regulation and Improvement of the Oyster Fishery in the River *Orwell* within the Borough of *Ipswich.*

lxxiii. An Act to enable the *South Durham and Lancashire Union* Railway Company to deviate their authorized Line of Railway, to carry their Line over a certain Road by a level Crossing, and to construct a Road for providing better Access to the Railway at or near to *Barnard Castle;* and for other Purposes.

lxxiv. An Act to authorize the *Birkenhead, Lancashire and Cheshire Junction* Railway Company to make a Railway from *Hooton* to *Helsby,* with a Branch to *Tranmere Pool;* and for other Purposes.

lxxv. An Act for inclosing the Commons or Waste Lands called "The Commons of *Bray,*" in the Parish of *Old Connaught* in the County of *Dublin.*

lxxvi. An Act to authorize the *Oxford, Worcester and Wolverhampton* Railway Company to extend their *Kingswinford* Branch, and to alter certain Parts of their Main Line of Railway, and to carry into effect an Agreement with the *Great Western* Railway Company for the Completion of the Main line on the Narrow Gauge only; and for other Purposes.

lxxvii. An Act for making a Pier in *Swanage Bay* in the County of *Dorset,* and a Tramway in connexion therewith; and for other Purposes.

lxxviii. An Act for making a Road from *Llanrwst* to *Abergele* and a Branch Road thereout, in the Counties of *Denbigh* and *Caernarvon.*

lxxix. An Act for continuing an Act for more effectually making, amending, widening, repairing and maintaining the Great North Roads leading from the *North Queensferry* and from *Burntisland,* both in the County of *Fife,* by *Kinross* to the City of *Perth,* and for enabling the Trustees of the said Roads and the Trustees of other Roads to enter into mutual Arrangements.

lxxx. An Act to enable the *Dublin and Wicklow* Railway Company to extend their Railway to *Gorey* in the County of *Wexford;* and for other Purposes.

lxxxi. An Act for making and maintaining the *Charing Cross* Railway; and for other Purposes.

lxxxii. An Act to alter and amend the Acts relating to the Lands Improvement Company.

lxxxiii. An Act to consolidate and amend the Acts relating to the *Scottish Central* Railway.

lxxxiv. An Act for making a Railway from *Brecon* through *Hay* to the line of the *Shrewsbury and Hereford* Railway Company at *Hereford.*

lxxxv. An Act for making and maintaining of the *Wansbeck* Railway from *Morpeth* to a Junction with the *North Tyne* Section of the *Border Counties* Railway, and with Branches to the *Morpeth* Branch of the *Blyth and Tyne* Railway and the Main Line of the *North Eastern* Railway respectively; and for other Purposes.

lxxxvi. An Act to repeal an Act of the Ninth Year of the Reign of King *George* the Fourth for making a Turnpike Road from the Township of *Hunslit* across the River *Aire* to the Township of *Leeds,* and to make other Provisions in lieu thereof.

lxxxvii. An Act to repeal the Acts relating to the *Lawton, Burslem* and *Newcastle-under Lyme* Turnpike Roads, and to consolidate and amend the Provisions thereof.

lxxxviii. An Act for making a Railway from the *London and North Western* Railway to *Sutton*

Coldfield in the County of *Warwick*, with a Branch therefrom; and for other Purposes.

lxxxix. An Act for repairing and maintaining certain Roads, at and near *Ludlow* in the County of *Salop*, known as the *Ludlow* First Turnpike Trust, the *Ludlow* Second Turnpike Trust, and the *Cainham* Trust, and for placing such Roads under the same Management.

xc. An Act to enable the *Stittingbourne and Sheerness* Railway Company to raise additional Capital, to amend the Acts relating to the Company; and for other Purposes.

xci. An Act for amalgamating the *Bedale and Leyburn* Railway Company with the *North-eastern* Railway Company, and for vesting in the latter the Undertaking of the former Company and the *Rosedale* Branch and Property of the *North Yorkshire and Cleveland* Railway Company; and for other Purposes.

xcii. An Act to renew the Term and continue, amend and enlarge the Powers of an Act passed in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for more effectually repairing the Road leading from the* Cross of Hand *near* Finford Bridge *in the County of* Warwick, *through the Town of* Southam *in the same County, to the Borough of* Banbury *in the County of* Oxford, and to make other Provisions in lieu thereof; and for other Purposes.

xciii. An Act for continuing the Term and amending and extending the Provisions of the Act relating to the *Blackburn and Preston* Turnpike Road, and for constructing a Bridge over the River *Ribble* in connexion therewith; and for other Purposes.

xciv. An Act for making a railway from *West Cowes* to *Newport* in the *Isle of Wight;* and for other Purposes.

xcv. An Act for making a Railway from the *London and South Western* Railway in the Parish of *Ringwood* to *Christchurch*, and an Approach Road at *Christchurch*, all in the County of *Southampton;* and for other Purposes.

xcvi. An Act to authorize the *Charleston* Railway and Harbour Company to purchase and acquire the *Charleston* Railway and Harbour, and to extend and improve the said Railway and Harbour.

xcvii. An Act to alter, amend and enlarge the provisions of the Acts relating to the *Metropolitan* Railway, to authorize the Alteration and Relinquishment of certain of the Works, and to make further Provision with reference to the Construction of such Railway; and for other Purposes.

xcviii. An Act to extend the Powers of the *West end of London and Crystal Palace* Railway Company for the Purchase of Lands and Completion of their authorized extension to *Farnborough* Railway; and for other Purposes.

xcix. An Act for better supplying with Water the Town of *Eastbourne* and Places adjacent thereto in the County of *Sussex;* and for other Purposes.

c. An Act to enable the *North-eastern* Railway Company to construct Branch Railways for the purpose of uniting their *Leeds* and *Thirsk* and *Church Fenton and Harrogate* Railways; and for other Purposes.

ci. An Act to amend the Acts relating to the *South Yorkshire* Railway and River *Dun* Company, and to regulate the crossing of certain Roads by the Railway of the Company.

cii. An Act for regulating the *Bombay, Baroda, and Central India* Railway Company, and for making provision with respect to the Capital of the Company; and for other Purposes.

ciii. An Act to make better provision for the Management and application of the *Newcastle-under-Lyme* Burgesses Lands, to repeal and amend the Act relating thereto; and for other Purposes.

civ. An Act for making a Railway from the *Trent Valley* Railway at *Nuneaton* in the County of *Warwick* to *Hinckley* in the County of *Leicester;* and for other Purposes.

cv. An Act to authorize the Construction of a Railway from *Hungerford* in *Berkshire* to *Devizes* in *Wiltshire*, to be called "The *Berks and Hants Extension* Railway."

cvi. An Act for incorporating the *British and Canadian* Telegraph Company; and for other Purposes.

cvii. An Act to embank and reclaim from the Sea certain Waste Lands subject to be overflowed by the tide, and forming part of *Chichester* Harbour in the County of *Sussex*.

cviii. An Act to alter, amend, and extend the Acts for inclosing, embanking, and draining the Marsh called *Malltraeth and Corsddaugau* in the County of *Anglesey*, and to provide for the maintenance of the Embankments and Drainage; and for other Purposes.

cix. An Act to authorize the *South Staffordshire* Railway Company to acquire certain Lands and raise additional Capital; and for other Purposes.

cx. An Act for the Amalgamation of the *East Lancashire* Railway Company with the *Lancashire and Yorkshire* Railway Company; and for other Purposes.

cxi. An Act to authorize the *Leeds, Bradford, and Halifax Junction* Railway Company, to convert their Mortgage or Bond Debt into shares or Stock; and for other Purposes.

cxii. An Act to enable the *Victoria* Station and *Pimlico* Railway Company to raise further Sums of Money.

cxiii. An Act for enabling the *London and North-western* Railway Company to construct new Works and acquire additional lands in the Counties of *Lancaster* and *Northampton;* and for other Purposes.

cxiv. An Act to authorize the Maintenance and Use of the *Silverdale and Newcastle-under-Lyme* Railway and the use of the Extension Railway to the *Newcastle-under-Lyme* Canal; and for other Purposes.

cxv. An Act to enable the *Waveney Valley* Railway Company to extend their Railway from *Harleston* to *Bungay* and *Ditchingham;* and for other Purposes relating to the same Company.

cxvi. An Act to enable the *Herne Bay and Faversham* Railway Company to extend their Railway to *Margate*, to change their name; and for other Purposes connected with their Undertaking.

cxvii. An Act for establishing Railway communication between *Loughton, Epping*, and *Chipping Ongar* in the County of *Essex*, and for other Purposes.

cxviii. An Act to enable the *Norwich and Spalding* Railway Company to extend their Railway from *Holbeach* to *Sutton Bridge* in *Lincolnshire*.

cxix. An Act to authorize the Construction of a Railway from the *Hythe* in the Neighbourhood of *Colchester* to *Wivenhoe in Essex*, to be called "The *Tendring Hundred* Railway."

cxx. An Act to afford Facilities for raising Funds for the Completion of the *Bridport* Railway, and to authorize the Lease thereof to the *Great Western* Railway Company.

cxxi. An Act for making a Railway from *Knighton* to *Llandrindod* in the County of *Radnor*, to be called "The *Central Wales* Railway;" and for other Purposes.

cxxii. An Act to enable the *Colne Valley and Halstead* Railway Company to extend their Railway from *Halstead* to *Haverhill* in the County of *Essex*.

cxxiii. An Act, for improving paving, draining, and lighting the Burgh of *Falkirk*, and for regulating the Supply of Water within the Burgh; and for providing for the Transference of the Property of the Stintmasters and Feuars of *Falkirk* to the Magistrates and Council; and for other Purposes.

cxxiv. An Act for authorizing the *Lancaster and Carlisle* Railway Company to make new Works, and to make arrangements with other Companies, and to raise further Funds; and for other Purposes.

cxxv. An Act for making a Railway from the *Coultershaw* Branch of the *Mid-Sussex* Railway to the Town of *Midhurst* in the County of *Sussex*.

cxxvi. An Act for making a Branch from the *North Staffordshire* Railway in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, and for extending the Time for completing certain Works, and for authorizing Arrangements with the *London and North-Western* Railway Company; and for other Purposes.

cxxvii. An Act for enabling the *Sockton and Darlington* Railway Company to make a new Railway and other Works; and for other Purposes.

cxxviii. An Act for making the *Kensington* Station and *North and South London Junction* Railway, and for other Purposes.

cxxix. An Act to enable the *Lancashire and Yorkshire* Railway Company to construct Branch Railways from *Oldham* to *Rochdale* and *Royton* in the County of *Lancaster*; and for other Purposes.

cxxx. An Act for enabling the *Midland* Railway Company to make an extension of their *Erewash Valley* Line, to acquire additional Lands in the County of *Leicester*; and for other Purposes.

cxxxi. An Act to facilitate Arrangements by the *Londonderry and Coleraine* Railway Company with their Creditors; and for other Purposes.

cxxxii. An Act to suspend in certain Cases the Operation of the Twenty-eighth Section of the "*Liverpool* Sanitary Amendment Act, 1854," and for other Purposes.

cxxxiii. An Act for the better Regulation of Watermen, Barge Owners, and others connected with the Navigation of the River *Thames* between *Teddington Lock* and *Lower Hope Point*.

cxxxiv. An Act for the making and maintaining of the *West London Extension* Railway, and for other Purposes.

cxxxv. An Act to Amend "The *Tacumshin* Embankment Act 1854," and to extend the Time for the Completion of the Works authorized by that Act.

cxxxvi. An Act for making and maintaining in and near to *Burton-upon-Trent* of Branch Railways from the *Midland* Railway, and the building of a new Bridge across the River *Trent* at *Burton-upon-Trent*, and the taking down and removing of "The Great Bridge at *Burton-upon-Trent*; and for other Purposes.

cxxvii. An Act to confer certain Powers upon "The Pneumatic Despatch Company (Limited."

cxxxviii. An Act to Transfer the *Warrington and Stockport* Railway to certain Companies.

cxxxix. An Act to extend the *Wells and Fakenham* Railway to and along *Wells* Quays; and for other Purposes.

PRIVATE ACTS,

PRINTED BY THE QUEEN'S PRINTER,

AND WHEREOF THE PRINTED COPY MAY BE GIVEN IN EVIDENCE.

1. AN Act to authorize the Exchange of certain detached portions situate in the County of *Forfar* of the Entailed Estate of *Haulkertoun* for the Lands of *Balbithan* and *Wester Fintray* in the County of Aberdeen, to be entailed in lieu thereof; and for other Purposes.

2. An Act for authorizing the Trustees of the Settled Estates in *Wales* of Earl *Vane* and Countess *Vane* to raise Five thousand Pounds by Mortgage of the same Estates, and to become Shareholders to the extent of such sum in the *Newtown and Machynlleth* Railway Company, and to sell to the Company part of the Settled Estates, in consideration of a yearly Rentcharge; and for other purposes.

3. An Act for confirming and giving effect to an Agreement for a Lease by the *Westminster* Improvement Commissioners of Land in *Victoria Street and Dean Street* in the City of *Westminster* to *Alfred Lucette*, of which the Short Title is "*Lucette*'s Estate Act, 1859."

4. An Act for authorising Leases of parts of the Settled Estates, in the Parishes of *Huddersfield*, *Almondbury*, and *Kirkheaton* in the West

Riding of the County of *York*, of Sir *John William Ramsden*, Baronet, and of which the short Title is "*Ramsden*'s Estate (Leasing) Act 1859."

5. An Act for effecting a Partition of the Landed Estates of *Josiah Robins* deceased, in and near to *Birmingham* and elsewhere, and for facilitating the Erection and Endowment of a Church thereon, and for authorizing the Application of Moneys subject to the Trust of his Will towards the Expenses of making Bridges for the Benefit of Parts of his Estates; and for other Purposes.

PRIVATE ACTS,

NOT PRINTED.

6. AN Act to dissolve the Marriage of *William Sandwith* Esquire with *Georgina Mary* his now wife, and to enable him to marry again; and for other Purposes.

7. An Act to dissolve the Marriage of *James Edward Dickinson*, a Surgeon in the Honourable *East India* Company's Service in the *East Indies*, with *Henrietta Louisa* his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.

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TO

HANSARD'S PARLIAMENTARY DEBATES

IN THE FIRST SESSION OF

THE EIGHTEENTH PARLIAMENT OF THE UNITED KINGDOM,

22° & 23° VICTORIA,

1859.

Explanation of the Abbreviations.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading.—*Amend.*, Amendment.—*Res.*, Resolution.—*Com* Committee.—*Re-Com.*, Re-committal.—*Rep.*, Report.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.*, Original Question.—*o. m.*, Original Motion. —*p. q.*, Previous Question.—*r. p.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st Div.*, *2nd Div.*, First or Second Division.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorised Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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